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1867

ACTS OF CONGRESS

RELATING TO

STEAMBOATS,

COLLATED WITH THE ROLLS

AT WASHINGTON.



WASHINGTON:
GOVERNMENT PRINTING OFFICE.
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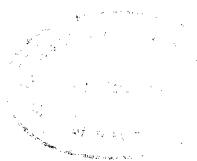
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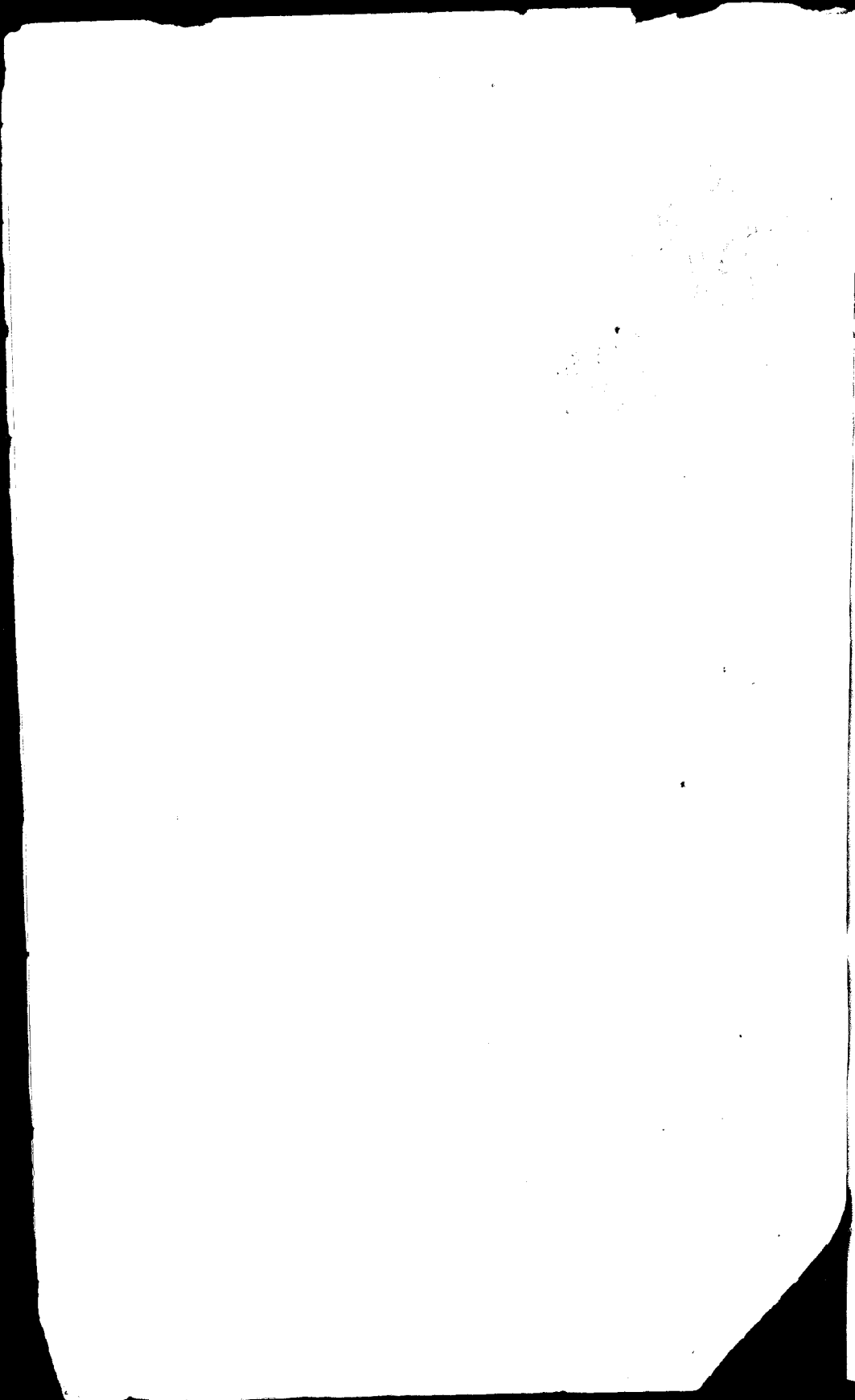
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ACTS OF CONGRESS RELATING TO STEAMBOATS.

ACT OF MARCH 12, 1812.

CHAPTER 40.

AN ACT respecting the enrolling and licensing of steamboats.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passing of this act, a steamboat employed or intended to be employed only in a river or bay of the United States, owned wholly or in part by an alien, resident within the United States, may and shall be enrolled and licensed as if the same belonged to a citizen of the United States, according to and subject to all the conditions, limitations, and provisions in the act entitled "An act for enrolling and licensing ships or vessels to be employed in the coasting trade and fisheries, and for regulating the same," except that, in such case, no oath or affirmation shall be required that the said boat belongs to a citizen or citizens of the United States.

Steamboats belonging to aliens to be enrolled and licensed.

Act of Feb. 18, 1793, ch. 8.

SEC. 2. *And be it further enacted,* That the owner or owners of such steamboat, upon application for enrolment or license, shall give bond to the collector of the district, to and for the use of the United States, in the penalty of one thousand dollars, with sufficient surety, conditioned that the said boat shall not be employed in other waters than the rivers and bays of the United States.

Owners of such boats to give bonds that the boats shall only be employed in the waters of the United States.

Approved March 12, 1812.

ACT OF MARCH 3, 1825.

CHAPTER 99.

AN ACT to authorize the register or enrolment and license to be issued in the name of the president or secretary of any incorporated company owning a steamboat or vessel.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That enrolments and licenses for steamboats or vessels, owned by any incorporated company, may be issued in the name of the president or secretary of such company; and that such enrolments and licenses shall not be vacated or affected by the sale of any share or shares of any stockholder or stockholders in such company.

Enrolments and licenses for steamboats owned by any incorporated company may be issued in the name of the president or secretary.

SEC. 2. *And be it further enacted,* That registers for steamboats or vessels, owned by any incorporated company, may be issued in the name of the president or secretary of such company; and that such register shall not be vacated or affected by a sale of any share or shares of any stockholder or stockholders in such company.

Register for steamboats.

March 3, 1825.

Upon the death, &c., of the president or secretary a new register shall be taken out.

SEC. 3. *And be it further enacted*, That, upon the death, removal, or resignation of the president or secretary of any incorporated company owning any steamboat or vessel, a new register, or enrolment and license, as the case may be, shall be taken out for such steamboat or vessel.

Previously to granting a register, oath as to ownership of the steamboat to be taken.

SEC. 4. *And be it further enacted*, That previously to granting a register, or enrolment and license, for any steamboat or vessel owned by any company, the president or secretary of such company shall swear or affirm as to the ownership of such steamboat or vessel by such company, without designating the names of the persons composing such company; which oath or affirmation shall be deemed sufficient without requiring the oath or affirmation of any person interested or concerned in such steamboat or vessel.

Before granting a register, oath that no part of such steamboat is owned by any foreigner.

SEC. 5. *And be it further enacted*, That before granting a register for any steamboat or vessel so owned by any incorporated company, the president or secretary thereof shall swear or affirm that, to the best of his knowledge and belief, no part of such steamboat or vessel has been or is then owned by any foreigner or foreigners.

Approved March 3, 1825.

ACT OF JULY 7, 1838.

CHAPTER 191.

AN ACT to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of all owners of steamboats, or vessels propelled in whole or in part by steam, on or before the first day of October, one thousand eight hundred and thirty-eight, to make a new enrolment of the same, under the existing laws of the United States, and take out from the collector or surveyor of the port, as the case may be, where such vessel is enrolled, a new license, under such conditions as are now imposed by law, and as shall be imposed by this act.

Owners of steamboats to make a new enrolment and take out a new license.

SEC. 2. *And be it further enacted*, That it shall not be lawful for the owner, master, or captain of any steamboat or vessel propelled in whole or in part by steam, to transport any goods, wares, and merchandise, or passengers, in or upon the bays, lakes, rivers, or other navigable waters of the United States, from and after the said first day of October, one thousand eight hundred and thirty-eight, without having first obtained from the proper officer a license under the existing laws, and without having complied with the conditions imposed by this act; and for each and every violation of this section, the owner or owners of said vessel shall forfeit and pay to the United States the sum of five hundred dollars, one-half for the use of the informer; and for which sum or sums the steamboat or vessel so engaged shall be liable, and may be seized and proceeded against summarily, by way of libel, in any district court of the United States having jurisdiction of the offence.

Goods or passengers not to be transported without a new license.

How recoverable.

District judge to appoint persons to inspect the boilers

SEC. 3 *And be it further enacted*, That it shall be the duty of the district judge of the United States, within whose district a

ports of entry or delivery may be, on the navigable waters, bays, lakes, and rivers of the United States, upon the application of the master or owner of any steamboat or vessel propelled in whole or in part by steam, to appoint, from time to time, one or more persons skilled and competent to make inspections of such boats and vessels, and of the boilers and machinery employed in the same, who shall not be interested in the manufacture of steam engines, steamboat boilers, or other machinery belonging to steam vessels, whose duty it shall be to make such inspection when called upon for that purpose, and to give to the owner or master of such boat or vessel duplicate certificates of such inspection; such persons, before entering upon the duties enjoined by this act, shall make and subscribe an oath or affirmation before said district judge, or other officer duly authorized to administer oaths, well, faithfully, and impartially to execute and perform the services herein required of them.

July 7, 1838.

and machinery.

Their qualifications and duties.

Oath to be taken.

SEC. 4. *And be it further enacted*, That the person or persons who shall be called upon to inspect the hull of any steamboat or vessel under the provisions of this act shall, after a thorough examination of the same, give to the owner or master, as the case may be, a certificate, in which shall be stated the age of the said boat or vessel, when and where originally built, and the length of time the same has been running. And he or they shall also state whether, in his or their opinion, the said boat or vessel is sound, and in all respects seaworthy and fit to be used for the transportation of freight or passengers; for which service so performed upon each and every boat or vessel, the inspectors shall each be paid and allowed by said master or owner applying for such inspection, the sum of five dollars.

Inspectors of the hulls to give the owners or masters a certificate stating the age of the boat, &c.

Also a certificate as to the soundness of the vessel.

Fee for inspection.

SEC. 5. *And be it further enacted*, That the person or persons who shall be called upon to inspect the boilers and machinery of any steamboat or vessel under the provisions of this act, shall, after a thorough examination of the same, make a certificate, in which he or they shall state his or their opinion whether said boilers are sound and fit for use, together with the age of said boilers; and duplicates thereof shall be delivered to the owner or master of such vessel, one of which it shall be the duty of the said master and owner to deliver to the collector or surveyor of the port whenever he shall apply for a license, or for a renewal of a license; the other he shall cause to be posted up and kept in some conspicuous part of said boat, for the information of the public; and for each and every inspection so made, each of the said inspectors shall be paid by the said master or owner applying, the sum of five dollars.

Inspectors of the boilers to make a certificate as to the soundness, &c., of said boilers.

Duplicates of said certificate to be given to the master or owner, &c.

Fee for inspection.

Hulls to be inspected every twelve months.

Boilers inspected every six months.

Penalty.

Competent number of experienced

SEC. 6. *And be it further enacted*, That it shall be the duty of the owners and masters of steamboats to cause the inspection provided under the fourth section of this act to be made at least once in every twelve months; and the examination required by the fifth section, at least once in every six months; and deliver to the collector or surveyor of the port where his boat or vessel has been enrolled or licensed, the certificate of such inspection; and on a failure thereof, he or they shall forfeit the license granted to such boat or vessel, and be subject to the same penalty as though he had run said boat or vessel without having obtained such license, to be recovered in like manner. And it shall be the duty of the owners and masters of the steamboats licensed in pursuance of the provisions of this act, to employ on board of their respective boats

July 7, 1838. a competent number of experienced and skilful engineers; and in case of neglect to do so, the said owners and masters shall be held responsible for all damages to the property of any passenger on board of any boat occasioned by an explosion of the boiler or any derangement of the engine or machinery of any boat.

Safety-valve to be opened when the vessel stops. SEC. 7. *And be it further enacted*, That whenever the master of any boat or vessel, or the person or persons charged with navigating said boat or vessel, which is propelled in whole or in part by steam, shall stop the motion or headway of said boat or vessel, or when said boat or vessel shall be stopped for the purpose of discharging or taking in cargo, fuel or passengers, he or they shall open the safety-valve, so as to keep the steam down in said boiler as near as practicable to what it is when the said boat or vessel is under headway, under the penalty of two hundred dollars for each and every offence.

Long-boats or yawls, when to be carried by steam vessels. SEC. 8. *And be it further enacted*, That it shall be the duty of the owner and master of every steam vessel engaged in the transportation of freight or passengers, at sea or on the Lakes Champlain, Ontario, Erie, Huron, Superior, and Michigan, the tonnage of which vessel shall not exceed two hundred tons, to provide and carry with the said boat or vessel, upon each and every voyage, two long-boats or yawls, each of which shall be competent to carry at least twenty persons; and where the tonnage of said vessel shall exceed two hundred tons, it shall be the duty of the owner and master to provide and carry as aforesaid not less than three long-boats or yawls, of the same or larger dimensions; and for every failure in these particulars, the said master and owner shall forfeit and pay three hundred dollars.

Vessels at sea or on the lakes to carry suction hose and fire engines. SEC. 9. *And be it further enacted*, That it shall be the duty of the master and owner of every steam vessel employed on either of the lakes mentioned in the last section, or on the sea, to provide, as a part of the necessary furniture, a suction-hose and fire-engine and hose suitable to be worked on said boat in case of fire, and carry the same upon each and every voyage, in good order; and that iron rods or chains shall be employed and used in the navigation of all steamboats, instead of wheel or tiller ropes; and for a failure to do which, they and each of them shall forfeit and pay the sum of three hundred dollars.

Iron rods or chains to be used instead of wheel or tiller ropes. SEC. 10. *And be it further enacted*, That it shall be the duty of the master and owner of every steamboat running between sunset and sunrise to carry one or more signal lights, that may be seen by other boats navigating the same waters, under the penalty of two hundred dollars.

Signal lights to be carried by vessels running at night. SEC. 11. *And be it further enacted*, That the penalties imposed by this act may be sued for and recovered in the name of the United States, in the district or circuit court of such district or circuit where the offence shall have been committed, or forfeiture incurred, or in which the owner or master of said vessel may reside, one-half to the use of the informer, and the other to the use of the United States; or the said penalty may be prosecuted for by indictment in either of the said courts.

How all penalties shall be recovered. SEC. 12. *And be it further enacted*, That every captain, engineer, pilot, or other person employed on board of any steamboat or vessel propelled in whole or in part by steam, by whose misconduct, negligence, or inattention to his or their respective duties the life or lives of any person on board said vessel may be

Any person employed on board a boat in which life or lives are lost by his inattention, shall be guilty of manslaughter.

destroyed, shall be deemed guilty of manslaughter, and upon conviction thereof before any circuit court in the United States, shall be sentenced to confinement at hard labor for a period not more than ten years.

July 7, 1838.

Punishment.

SEC. 13. *And be it further enacted*, That all suits and actions against proprietors of steamboats for injuries arising to person or property from the bursting of the boiler of any steamboat, or the collapse of a flue, or other injurious escape of steam, the fact of such bursting, collapse, or injurious escape of steam shall be taken as full *prima facie* evidence, sufficient to charge the defendant, or those in his employment, with negligence, until he shall show that no negligence has been committed by him or those in his employment.

What shall be sufficient evidence to charge the defendant, in case of the bursting of a boiler, &c.

Approved July 7, 1838.

ACT OF MARCH 3, 1843.

CHAPTER 94.

AN ACT to modify the act entitled "An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam," approved July seventh, eighteen hundred and thirty-eight.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every boat or vessel which existing laws require to be registered, and which is propelled in whole or in part by steam, shall be provided with such additional apparatus or means as, in the opinion of the inspector of steamboats, shall be requisite to steer the boat or vessel, to be located in such part of the boat or vessel as the inspector may deem best to enable the officers and crew to steer and control the boat or vessel in case the pilot or man at the wheel is driven from the same by fire; and no boat or vessel exclusively propelled by steam shall be registered after the passage of this act unless the owner, master, or other proper person shall file with the collector or other proper officer the certificate of the inspector, stating that suitable means have been provided to steer the boat or vessel in case the pilot or man at the wheel is driven therefrom by fire.

Vessels propelled by steam to be provided with additional apparatus for steering in case of fire.

SEC. 2. *And be it further enacted*, That it shall be lawful in all vessels or boats propelled in whole or in part by steam, and which shall be provided with additional apparatus or means to steer the same, as required by the first section of this act, to use wheel or tiller ropes composed of hemp or other good and sufficient material around the barrel or axle of the wheel, and to a distance not exceeding twenty-two feet therefrom, and also in connecting the tiller or rudder yoke with iron rods or chains used for working the rudder: *Provided*, That no more rope for this purpose shall be used than is sufficient to extend from the connecting points of the tiller or rudder yoke placed in any working position beyond the nearest blocks or rollers, and give sufficient play to work the ropes on such blocks or rollers. *And provided further*, That there shall be chains extending the whole distance of the ropes so connected with the tiller or rudder yoke, and attached or fastened

Vessels provided with the apparatus required by the first section may use hemp and tiller ropes.

Proviso.

Further proviso

March 3, 1843.

to the tiller or rudder yoke, and the iron chains or rods extending towards the wheel in such manner as will take immediate effect, and work the rudder in case the ropes are burnt or otherwise rendered useless.

Freight vessels propelled by sails and Ericsson's propeller, not required to provide suction-hose, &c.

SEC. 3. *And be it further enacted*, That the master and owner, and all others interested in vessels navigating Lakes Champlain, Ontario, Erie, Huron, Superior, and Michigan, or any of them, and which are propelled by sails and Ericsson's propeller, and used exclusively in carrying freight, shall, from and after the passage of this act, be exempt from liability or fine for failing to provide, as a part of the necessary furniture of such vessel, a suction-hose and fire-engine and hose suitable to be worked on such vessel in case of fire, or more than one long-boat or yawl.

Proceedings pending for violations of 9th section Act passed 7th July, 1838, may be discontinued.

SEC. 4. *And be it further enacted*, That it shall be lawful for the court before which any suit, information, or indictment is or shall be pending for the violation, before the passage of this act, of so much of the ninth section of the act aforesaid as requires "that iron rods or chains shall be employed and used in the navigation of all steamboats instead of wheel and tiller ropes," to order such suit, information or indictment to be discontinued, on such terms as to costs as the court shall judge to be just and reasonable: *Provided*, That the defendant or defendants in such prosecution shall cause it to appear, by affidavit or otherwise, to the satisfaction of the court that he or they had failed to use iron rods or chains in the navigation of his or their boat or boats, from a well-grounded apprehension that such rods or chains could not be employed for the purpose aforesaid with safety.

Proviso.

Experimental trials of inventions to prevent the explosion of steam-boilers authorized.

SEC. 5. *And be it further enacted*, That in execution of the authority vested in him by the second section of the joint resolution "authorizing experiments to be made for the purpose of testing Samuel Colt's submarine battery, and for other purposes," approved August thirty-first, one thousand eight hundred and forty-two, the Secretary of the Navy shall appoint a board of examiners, consisting of three persons, of thorough knowledge as to the structure and use of the steam-engine, whose duty it shall be to make experimental trials of such inventions and plans designed to prevent the explosion of steam-boilers and collapsing of flues as they may deem worthy of examination, and report the result of their experiments, with an expression of their opinion as to the relative merits and efficacy of such inventions and plans, which report the Secretary shall cause to be laid before Congress at its next session. It shall also be the duty of said examiners to examine and report the relative strength of copper and iron boilers of equal thickness, and what amount of steam to the square inch, when sound, is capable of working with safety; and whether hydrostatic pressure, or what other plan, is best for testing the strength of boilers under the inspection laws; and what limitations as to the force or pressure of steam to the square inch, in proportion to the ascertained capacity of a boiler to resist, it would be proper to establish by law for the more certain prevention of explosions.

Result to be reported to Congress.

Other examinations to be made and reported.

Part inconsistent of Act of 7th July, 1838, repealed.

SEC. 6. *And be it further enacted*, That so much of the act aforesaid as is inconsistent with the provisions of this act shall be, and the same is hereby, repealed.

Approved March 3, 1843.

ACT OF MARCH 3, 1849.

CHAPTER 105.

AN ACT making appropriations for light-houses, light-boats, buoys, &c., and providing for the erection and establishment of the same, and for other purposes.

[*The first four sections of this act relate to other matters.*]

SEC. 5. *And be it further enacted*, That vessels, steamboats, and propellers navigating the northern and western lakes, shall, from and after the thirtieth day of April next, comply with the following regulations, for the security of life and property, to wit: During the night vessels on the starboard tack shall show a red light, vessels on the larboard tack a green light, and vessels going off large or before the wind, or at anchor, a white light; steamboats and propellers shall carry on the stem, or as far forward as possible, a triangular light, at an angle of about sixty degrees with the horizon, and on the starboard side a light shaded green, and on the larboard side red; said lights shall be furnished with reflectors, &c., complete, and of a size to insure a good and sufficient light; and if loss or damage shall occur, the owner or owners of the vessel, steamboat, or propeller neglecting to comply with these regulations, shall be liable to the injured party for all loss or damages resulting from such neglect, and the owner or owners of any vessel failing to comply with said regulations shall forfeit a penalty of one hundred dollars, which may be recovered in an action of debt, to be brought by the district attorney of the United States, in the name of the United States, in any court of competent jurisdiction.

Regulations to be observed by vessels navigating the northern or northwestern lakes in the night.

Approved March 3, 1849.

STEAMBOAT ACT OF AUGUST 30, 1852.

CHAPTER 106.

AN ACT to amend an act entitled "An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam," and for other purposes.*

SECTION

1. No papers to issue to any steamboat carrying passengers till the provisions of this act are complied with. Penalty for navigating such steamboats without complying with the provisions of this act.
2. Precautions against fire.
3. Provision as to pumps and hose.
4. Provision as to boats.
5. Provision for life-preservers, floats, axes, and buckets.
6. Access to the upper deck.

SECTION

7. Provisions respecting carrying certain dangerous articles. License required. Penalty for violation of the provisions.
8. Same subject. Penalty for putting up for shipment or shipping said articles.
9. Appointment of an inspector of hulls and an inspector of boilers in certain designated districts. Their qualifications. Their duties. *First*. Hulls of steamboats and their accommodations to be inspected at least

* The act of which this is an amendment will be found *ante*, p. 4. The other acts of Congress relative to the subject of steamboats are the acts of 1812, ch. 40, *ante*, p. 3; of 1825, ch. 99, *ante*, p. 3; of 1843, ch. 94, *ante*, p. 7; of 1849, ch. 105, § 5, *ante*, p. 9.

August 30, 1852. SECTION

yearly. Inspectors may direct steamboats to be put in motion. *Second.* Inspection of boilers. Pressure to which they are to be subjected. Provisions respecting the flues, materials, fire line, water line, safety valves, gauge cocks, fusible plugs. *Third.* Mode of subjecting boilers to hydrostatic pressure. Degree of pressure to be allowed. Certified pressure not to be exceeded. *Fourth.* Form of certificate of inspectors. To be signed and sworn to. Reasons to be given in writing when certificate is refused. *Fifth.* License to carry gunpowder and other enumerated dangerous articles. License may be revoked. *Sixth.* Record to be kept of all certificates of inspection, whether of approval or disapproval, licenses and revocations. Originals to be delivered to the collector. Report to be made of all their doings to the supervising inspector. *Seventh.* Pilots and engineers to be licensed and classified. *Eighth.* Examination and classification of engineers. *Ninth.* Examination of pilots. Licenses of engineers and pilots revocable. Appeal from refusal to grant a certificate of inspection or a license. *Tenth.* Employment of unlicensed engineers or pilots forbidden (except in certain cases of necessity) under a penalty. *Eleventh.* Other inspections than said annual ones to be made. Inspector may then make further requirements. Appeal from such requirements. Penalty for navigating steamers in disregard of such requirements. Where repairs may be made. How far boards of inspectors are bound by the acts of other boards. *Twelfth.* Inspection of steamers in districts where there is no local board of inspectors. *Thirteenth.* Power to summon and compel attendance of witnesses. Examination with a view to revocation or suspension of licenses. Fees of witnesses. Paid out of the revenues provided in this act. *Fourteenth.* Board of inspectors to report all their doings to the chief officer of the customs, and also all omissions or refusals to comply with the law. *Fifteenth.* Pilots, engineers, and mates to assist inspectors in their examinations, to point out

SECTION

- imperfections, and to notify them of serious accidents. In default thereof, licenses may be revoked.
10. Provisions respecting the number of passengers, their food and accommodations, and detentions on the voyage. Penalties. Vessel to be released on giving bond.
 11. Penalty for obstructing or deranging the means of regulation or indicating the pressure of steam or approach of danger.
 12. Penalty for allowing the water to fall in the boiler within three inches above the flue.
 13. Boilers to be hereafter made of stamped plates.
 14. Examination of boiler plates. Qualities of material required.
 15. Boiler plates to be stamped with name of manufacturer, &c.
 16. Penalty for making or using boilers made hereafter of unstamped materials.
 17. Penalty for counterfeiting such stamps, and for false stamps. Person using stamp of another to be liable.
 18. Nine supervising inspectors to be appointed. Their qualifications. Their pay and expenses. To meet at least yearly, and to establish rules and assign limits. Traveling expenses. Transportation of instruments. Secretary of the Treasury to pay them and the local inspectors.
 19. Duties of the supervising inspectors. Masters, engineers, and pilots required to answer their questions and give information.
 20. Supervising inspectors to report to the local boards violations of this law, and to report failures of the local board to do its duty. Removal of delinquent inspector.
 21. Supervising inspectors to supervise the local boards.
 22. Inspection in districts where there is no local board, or it is inconvenient to resort to it. No inspector to act in any case where he is interested or associated in business with those interested. Inspections by interested inspectors to be void.
 23. Collectors to report to each other names of persons licensed, or refused a license, or whose licenses have been revoked or suspended, and the names of vessels violating this act.

SECTION

24. Collectors, &c., and inspectors to enforce this law under penalty of loss of office and a fine.
25. Original certificates of inspection to be kept by the collector, and two certified copies to be made out, one of which must be kept posted in a conspicuous place in the steamer. Penalty for receiving or carrying passengers where the copy is not so kept posted, or where said dangerous articles are carried without a license and a certified copy thereof kept posted, or are stowed in an unauthorized manner.
26. Penalty for false certificate by inspector.
27. Penalty for navigating a vessel not conforming to the requirements of the certificate. Exception in cases of deficiency from dangers of navigation, if supplied as soon as practicable.
28. When the navigation of rivers becomes dangerous from fog, &c., or accident to the machinery, the steamer to be stopped. If the commander elects to proceed, he and the owners made liable for all damage to passengers or their baggage.
29. Supervising board to establish rules for passing. Printed copies thereof to be furnished and kept posted in every steamer. In case of violation or neglect of such rules, delinquent made liable for damage, and to be fined, and the vessel not justified in case of collision.
30. Liability for damage to passengers or their baggage.
31. Fees for certificates of inspection and licenses. To whom paid. To be accounted for quarterly, and paid into the treasury.
32. Each inspector to keep a record of all his doings, and report the same to the collector on the first days of each May and November.
33. Salaries of the district inspectors.
34. Secretary of the Treasury to

SECTION

August 30, 1852.

- provide instruments for testing the strength of boilers.
35. List of passengers to be kept, and to be open to inspection. Penalty for neglect to keep said list. This penalty and that for excess of passengers, to be a lien on the vessel. Bond may be given.
36. Two copies of this act to be furnished to each steamer. Penalty for unreasonably refusing to exhibit them to passengers, or not keeping them on board.
37. Inspectors who receive any fees or rewards for their services, except those prescribed in this act, to lose their offices, and to be fined or imprisoned, or both.
38. Pilots and engineers to take an oath before an inspector before entering on the duties of their office. Penalty for perjury of witnesses.
39. The supervising inspectors to gather information on certain points relating to steamboats, and to transmit the same to the Secretary of the Treasury.
40. Secretary to cause interrogatories calculated to elicit information on these points to be prepared and published, and to report the result to Congress with his own recommendations on the subject.
41. Penalties under this act, how sued for and recovered.
42. This act not to apply—1, to public vessels of the United States; 2, to vessels of other countries; 3, to steamers used as ferry-boats, tug-boats, towing-boats, nor to steamers of not more than one hundred and fifty tons used in whole or in part on canals. Inspection and certificate of ocean mail steamers convertible into war steamers to be made by a chief engineer of the navy. Report to be made by him to Secretary of the Navy and the district supervising inspector.
43. When this act is to take effect.
44. Repeal of inconsistent acts.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no license, register, or enrolment, under the provisions of this or the act to which this is an amendment, shall be granted, or other papers issued by any collector, to any vessel propelled in whole or in part by steam, and carrying passengers, until he shall have satisfactory evidence that all the provisions of this act have been fully complied with; and if any such vessel shall be navigated, with pas-

No papers to issue to any steamboat carrying passengers, until the provisions of this act are complied with.

Penalty for navigating steamboats with passengers

August 30, 1852.
without such com-
pliance.

Precautions
against fire.

May be varied
from when in-
practicable.

Provision as to
pumps.

Hose.

Provisions as to
boats.

sengers on board, without complying with the terms of this act, the owners thereof and the vessel itself shall be subject to the penalties contained in the second section of the act to which this is an amendment.

SEC. 2. *And be it further enacted*, That it shall be the duty of the inspectors of the hulls of steamers, and the inspectors of boilers and engines, appointed under the provisions of this act, to examine and see that suitable and safe provisions are made throughout such vessel to guard against loss or danger from fire; and no license or other papers, on any application, shall be granted, if the provisions of this act for preventing fires are not complied with, or if any combustible material liable to take fire from heated iron, or any other heat generated on board of such vessels in and about the boilers, pipes, or machinery, shall be placed at less than eighteen inches from such heated metal or other substance likely to cause ignition, unless a column of air or water intervenes between such heated surface and any wood or other combustible material so exposed, sufficient at all times and under all circumstances to prevent ignition; and further, when wood is so exposed to ignition, as an additional preventive, it shall be shielded by some incombustible material in such manner as to leave the air to circulate freely between such material and the wood: *Provided, however*, That when the structure of such steamers is such, or the arrangement of the boilers or machinery is such, that the requirements aforesaid cannot, without serious inconvenience or sacrifice, be complied with, inspectors may vary therefrom, if in their judgment it can be done with safety.

SEC. 3. *And be it further enacted*, That every vessel so propelled by steam, and carrying passengers, shall have not less than three double-acting forcing-pumps, with chamber at least four inches in diameter, two to be worked by hand and one by steam, if steam can be employed, otherwise by hand; one whereof shall be placed near the stern, one near the stem, and one amidship; each having a suitable, well-fitted hose, of at least two-thirds the length of the vessel, kept at all times in perfect order and ready for immediate use; each of which pumps shall also be supplied with water by a pipe connected therewith, and passing through the side of the vessel, so low as to be at all times in the water when she is afloat: *Provided*, That in steamers not exceeding two hundred tons measurement, two of said pumps may be dispensed with; and in steamers of over two hundred tons and not exceeding five hundred tons measurement, one of said pumps may be dispensed with.

SEC. 4. *And be it further enacted*, That every such vessel, carrying passengers, shall have at least two good and suitable boats, supplied with oars, in good condition at all times for service, one of which boats shall be a life-boat, made of metal, fire-proof, and in all respects a good, substantial, safe sea-boat, capable of sustaining, inside and outside, fifty persons, with life-lines attached to the gunwale at suitable distances. And every such vessel of more than five hundred tons, and not exceeding eight hundred tons measurement, shall have three life-boats; and every such vessel of more than eight hundred tons, and not exceeding fifteen hundred tons measurement, shall have four life-boats; and every such vessel of more than fifteen hundred tons measurement shall have six life-boats, all of which boats shall be well furnished with oars and

other necessary apparatus: *Provided, however,* The inspectors are hereby authorized to exempt steamers navigating rivers only from the obligation to carry of the life-boats herein provided for more than one, the same being of suitable dimensions, made of metal and furnished with all necessary apparatus for use and safety—such steamers having other suitable provisions for the preservation of life in case of fire or other disaster.

SEC. 5. *And be it further enacted,* That every such vessel, carrying passengers, shall also be provided with a good life-preserver, made of suitable material, or float well adapted to the purpose, for each and every passenger, which life-preservers and floats shall always be kept in convenient and accessible places in such vessel, and in readiness for the use of the passengers; and every such vessel shall also keep twenty five buckets and five axes; and there shall be kept on board every such vessel exceeding five hundred tons measurement, buckets and axes after the rate of their tonnage as follows: on every vessel of six hundred tons measurement, five buckets and one axe for each one hundred tons measurement, decreasing this proportion as the tonnage of the vessel increases, so that any such vessel of thirty-five hundred tons, and all such vessels exceeding the same, shall not be required to keep but three buckets for each one hundred tons measurement, and but one axe for every five buckets.

SEC. 6. *And be it further enacted,* That every such vessel carrying passengers on the main or lower deck shall be provided with sufficient means convenient to such passengers for their escape to the upper deck, in case of fire or other accident endangering life.

SEC. 7. *And be it further enacted,* That no loose hemp shall be carried on board any such vessel; nor shall baled hemp be carried on the deck or guards thereof, unless the bales are compactly pressed and well covered with bagging or a similar fabric; nor shall gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids or materials which ignite by friction, be carried on board any such vessel as freight, except in cases of special license for that purpose, as hereinafter provided; and all such articles kept on board as stores shall be secured in metallic vessels, and every person who shall knowingly violate any of the provisions of this section shall pay a penalty of one hundred dollars for each offence, to be recovered by action of debt in any court of competent jurisdiction.

SEC. 8. *And be it further enacted,* That hereafter all gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids and materials which ignite by friction, when packed or put up for shipment on board of any such vessel, shall be securely packed or put up separately from each other and from all other articles, and the package, box, cask, or vessel containing the same shall be distinctly marked on the outside with the name or description of the articles contained therein; and every person who shall pack or put up, or cause to be packed or put up for shipment on board of any such vessel, any gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids or materials which ignite by friction, otherwise than as aforesaid, or shall ship the same, unless packed and marked as aforesaid, on board of any steam vessel carrying passengers, shall be deemed guilty of a misdemeanor, or punished by a fine not exceeding one thousand dollars, or imprisonment not exceeding eighteen months, or both.

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Proviso.

Provision for life-preservers, axes, and buckets.

Access to the upper deck.

Provisions respecting carrying certain dangerous articles.

License required.

Penalty.

Provisions respecting certain dangerous articles.

Penalty.

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Provision for the appointment of two inspectors in certain collection districts.

Their qualifications.

One to be called inspector of hulls.

The other to be called inspector of boilers.

Approval of appointment.

Provision for the inspection of the hulls of steam-boats carrying passengers at least yearly.

Inspectors may direct the steam-boat to be put in motion.

Inspection of the boilers.

SEC. 9. *And be it further enacted*, That instead of the existing provisions of law for the inspection of steamers and their equipment, and instead of the present system of pilotage of such vessel, and the present mode of employing engineers on board the same, the following regulations shall be observed, to wit: The collector or other chief officer of the customs, together with the supervising inspector for the district, and the judge of the district court of the United States for the district, in each of the following collection districts, namely: New Orleans and St. Louis, on the Mississippi river; Louisville, Cincinnati, Wheeling, and Pittsburg, on the Ohio river; Buffalo and Cleveland, on Lake Erie; Detroit, upon Detroit river; Nashville, upon the Cumberland river; Chicago, on Lake Michigan; Oswego, on Lake Ontario; Burlington, in Vermont; Galveston, in Texas; Mobile, in Alabama; Savannah, in Georgia; Charleston, in South Carolina; Norfolk, in Virginia; Baltimore, in Maryland; Philadelphia, in Pennsylvania; New York, in New York; New London, in Connecticut; Boston, in Massachusetts; Portland, in Maine; and San Francisco, in California, shall designate two inspectors, of good character and suitable qualifications, to perform the services required of them by this act, within the respective districts for which they shall be appointed, one of whom, from his practical knowledge of ship-building and the uses of steam in navigation, shall be fully competent to make a reliable estimate of the strength, seaworthiness, and other qualities of the hulls of steamers and their equipment, deemed essential to safety of life, when such vessels are employed in the carriage of passengers, to be called the inspector of hulls; the other of whom, from his knowledge and experience of the duties of an engineer employed in navigating vessels by steam, and also in the construction and use of boilers, and the machinery and appurtenances therewith connected, shall be able to form a reliable opinion of the quality of the material, the strength, form, workmanship, and suitableness of such boilers and machinery to be employed in the carriage of passengers, without hazard to life from imperfection in the material, workmanship, or arrangement of any part of such apparatus for steaming, to be called the inspector of boilers; and these two persons thus designated, if approved by the Secretary of the Treasury, shall be, from the time of such designation, inspectors, empowered and required to perform the duties herein specified, to wit:

First. Upon application in writing by the master or owner they shall, once in every year at least, carefully inspect the hull of each steamer belonging to their respective districts and employed in the carriage of passengers, and shall satisfy themselves that every such vessel so submitted to their inspection is of a structure suitable for the service in which she is to be employed, has suitable accommodations for her crew and passengers, and is in a condition to warrant the belief that she may be used in navigation as a steamer with safety to life, and that all the requirements of law in regard to fires, boats, pumps, hose, life-preservers, floats, and other things are faithfully complied with; and if they deem it expedient they may direct the vessel to be put in motion, and may adopt any other suitable means to test her sufficiency and that of her equipment.

Second. They shall also inspect the boilers of such steamers before the same shall be used, and once in every year thereafter,

subjecting them to a hydrostatic pressure, the limit to which, not exceeding one hundred and sixty-five pounds to the square inch for high-pressure boilers, may be prescribed by the owner or the master, and shall satisfy themselves by examination and experimental trials that the boilers are well made, of good and suitable material; that the openings for the passage of water and steam respectively, and all pipes and tubes exposed to heat, are of proper dimensions and free from obstruction; that the spaces between the flues are sufficient, and that the fire-line of the furnace is below the prescribed water-line of the boilers; and that such boilers and the machinery and the appurtenances may be safely employed in the service proposed in the written application without peril to life; and shall also satisfy themselves that the safety-valves are of suitable dimensions, sufficient in number, well arranged, and in good working order, (one of which may, if necessary, in the opinion of the inspectors, to secure safety, be taken wholly from the control of all persons engaged in navigating such vessel;) that there is a suitable number of gauge-cocks properly inserted, and a suitable water-gauge and steam-gauge indicating the height of the water and the pressure of the steam; that in or upon the outside flue of each outside high-pressure boiler there is placed in a suitable manner alloyed metals, fusible by the heat of the boiler when raised to the highest working pressure allowed, and that in or upon the top of the flues of all other high-pressure boilers in the steamer such alloyed metals are placed, as aforesaid, fusing at ten pounds greater pressure than said metals on the outside boilers, thereby, in each case, letting steam escape; and that adequate and certain provision is made for an ample supply of water to feed the boilers at all times, whether such vessel is in motion or not, so that in high-pressure boilers the water shall not be less than four inches above the flue: *Provided, however*, in steamers hereafter supplied with new high-pressure boilers, if the alloy fuses on the outer boilers at a pressure of ten pounds exceeding the working pressure allowed, and at twenty pounds above said pressure on the inner boilers, it shall be a sufficient compliance with this act.

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One of the safety-valves may be taken from the control of the navigator.

Third. That in subjecting to the hydrostatic test aforesaid, boilers called and usually known under the designation of high-pressure boilers, the inspectors shall assume one hundred and ten pounds to the square inch as the maximum pressure allowable as a working power for a new boiler forty-two inches in diameter, made of inspected iron plates at least one-fourth of an inch thick, in the best manner, and of the quality herein required, and shall rate the working power of all high-pressure boilers, whether of greater or less diameter, old or new, according to their strength compared with this standard; and in all cases the test applied shall exceed the working power allowed in the ratio of one hundred and sixty-five to one hundred and ten, and no high-pressure boilers hereafter made shall be rated above this standard; and in subjecting to the test aforesaid that class of boilers usually designated and known as low-pressure boilers, the said inspectors shall allow, as a working power of each new boiler, a pressure of only three-fourths the number of pounds to the square inch to which it shall have been subjected by the hydrostatic test and found to be sufficient therefor, using the water in such tests at a temperature not exceeding sixty degrees Fahrenheit; but should such inspectors be of the opinion that said boiler, by reason of its con-

Mode of subjecting high pressure boilers to hydrostatic pressure.

Low pressure boilers.

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Boilers not to be worked beyond the pressure allowed.

Defects in other respects.

Certificate of inspectors.

Passengers to be limited.

struction or material, will not safely allow so high a working pressure, they may, for reasons to be stated specially in their certificate, fix the working pressure of said boiler at less than three-fourths of said test pressure, and no low-pressure boiler hereafter made shall be rated in its working pressure above the aforesaid standard; and provided that the same rules shall be observed in regard to boilers heretofore made, unless the proportion between such boilers and the cylinders, or some other cause, renders it manifest that its application would be unjust, in which cases the inspectors may depart from these rules, if, it can be done with safety; but in no case shall the working pressure allowed exceed the hydrostatic test, and no valve under any circumstances shall be loaded or so managed in any way as to subject a boiler to a greater pressure than the amount allowed by the inspectors, nor shall any boiler or pipe be approved which is made in whole or in part of bad material, or is unsafe in its form, or dangerous from defective workmanship, age, use, or any other cause.

Fourth. That when the inspection in detail is completed, and the inspectors approve of the vessel and her equipment throughout, they shall make and subscribe a certificate to the collector of the district, substantially as follows:

State of ———, *District of* ———: Application having been made in writing by ——— to the subscribers, inspectors for said district, to examine the steamer ———, of ———, whereof ——— are owners, and ——— is master, we having performed that service, now, on this ——— day of ———, A. D. ———, do certify, that she was built in the year ———; is in all respects staunch, seaworthy, and in good condition for navigation, having suitable means of escape in case of accident from the main to the upper deck; that she is provided with (here insert the number of state-rooms, the number of berths therein, the number of other permanent berths for cabin passengers, the number of berths for deck or other classes of passengers, the number of passengers of each class for whom she has suitable accommodations; and in case of steamers sailing to or from any European port, or to or from any port on the Atlantic or the Pacific, a distance of one thousand miles or upwards, the number of each she is permitted to carry; and in case of a steamer sailing to any other port, a distance of five hundred miles or upwards, the number of deck passengers she is permitted to carry; also the number of boilers, and the form, dimensions, and material of which each boiler is made, the thickness of the metal, and when made; if made after this act takes effect, and of iron, whether they are such in all respects as the act requires; whether each boiler has been tried by hydrostatic test, the amount of pressure to the square inch in pounds applied to it; whether the amount allowed as the maximum working power was determined by the rule prescribed by this act; if not, the reason for a departure from it; also the number of safety-valves required, their capacity, the load prescribed for each valve, how many are left in the control of the persons navigating the vessel; whether one is withdrawn, and the manner of securing it against interference; also the number and dimensions of supply-pipes, and whether they and the other means provided are sufficient at all times and under all circumstances, when in good order, to keep the water up four inches at least above the top of the flue; also the number and dimensions of the steam-pipes, the number and kind of engines,

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the dimensions of their cylinders, the number and capacity of the forcing-pumps and how worked, the number and kind of gauges, water and steam gauges, where situate and how secured; also the manner of using alloyed metals, and the pressure at which they are known by the inspectors to fuse; the equipments for the extinguishment of fires, including hose, fire-buckets, and axes; the provisions for saving life in case of accident, including boats, life-preservers, and substitutes therefor, where kept, and all other provisions made on board for the security of the lives of passengers.) And we further certify that the equipment of the vessel throughout, including pipes, pumps, and other means to keep the water up to the point aforesaid, hose, boats, life-preservers, and other things, is in conformity with the provisions of law; and that we declare it to be our deliberate conviction, founded upon the inspection which we have made, that the vessel may be employed as a steamer upon the waters named in the application, without peril to life from any imperfection of form, materials, workmanship, or arrangement of the several parts, or from age or use. And we further certify, that said vessel is to run within the following limits, to wit: from—— to —— and back, touching at intermediate places.

And which certificates shall be verified by the oaths of the inspectors signing it, before a person competent by law to administer oaths. And in case the said inspector does not grant a certificate of approval, they shall state in writing, and sign the same, their reasons for their disapproval.

Fifth. Upon the application of the master or owner of any steamer employed in the carriage of passengers for a license to carry gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids and materials which ignite by friction, or either of them, the inspectors shall examine such vessel, and if they find that she is provided with chests or safes composed of metal, or entirely lined therewith, or one or more apartments thoroughly lined with metal at a secure distance from any fire, they may grant a certificate to that effect, authorizing such vessel to carry as freight any of the articles aforesaid, those of each description to be secured in such chest, safe, or apartment, containing no other article, and carried at a distance from any fire, to be specified in the certificate: *Provided*, That any such certificate may be revoked or annulled at any time by the inspectors, upon proof that either of the said articles have been carried on board said vessel at a place or in a manner not authorized by such certificate, or that any of the provisions of this act in relation thereto have been violated.

Sixth. The said inspectors shall keep a regular record of certificates of inspections of vessels, their boilers, engines, and machinery, whether of approval or disapproval, and when recorded the original shall be delivered to the collector of the district; they shall keep a like record of certificates authorizing gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids and materials which ignite by friction, or either of them, to be carried as freight by any such vessel; and when recorded deliver the originals to said collector; they shall keep a like record of all licenses to pilots and engineers, and all revocations thereof, and shall from time to time report to the supervising inspector of their respective districts, in writing, their decisions on all applications for such licenses, or proceedings for the revocation thereof, and all testimony received by them in such proceedings.

Certificate to be sworn to.

In case of refusal to certify, the reasons to be assigned in writing.

Provision for licenses to carry certain dangerous articles.

License.

Revocation of license.

Record of certificates of inspection and licenses to carry said articles.

Originals to be delivered to the collector.

Licenses to pilots and engineers, and revocations thereof.

Report to supervising inspector.

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Licenses of pilots and engineers.

Engineers.

Certificate for one year.

Pilots.

License for one year and revocable.

Appeal, in case of refusal of a pilot's or engineer's license, to supervising inspector.

Appeal from decision respecting steamboats.

Employment of unlicensed pilots and engineers forbidden, except in certain cases of necessity.

Provision for other than annual inspection.

Repairs may be ordered.

Seventh. The inspectors shall license and classify all engineers and pilots of steamers carrying passengers.

Eighth. Whenever any person, claiming to be qualified to perform the duty of engineer upon steamers carrying passengers, shall apply for a certificate, the board of inspectors shall examine the applicant, and the proofs which he produces in support of his claim; and if, upon full consideration, they are satisfied that his character, habits of life, knowledge, and experience in the duties of an engineer, are all such as to authorize the belief that the applicant is a suitable and safe person to be intrusted with the powers and duties of such a station, they shall give him a certificate to that effect for one year, signed by them, in which certificate they shall state the time of the examination, and shall assign the appointee to the appropriate class of engineers.

Ninth. Whenever any person claiming to be a skilful pilot for any such vessel shall offer himself for a license, the said board shall make diligent inquiry as to his character and merits; and if satisfied that he possesses the requisite skill, and is trustworthy and faithful, they shall give him a certificate to that effect, licensing him for one year to be a pilot of any such vessels within the limit prescribed in the certificate; but the license of any such engineer or pilot may be revoked upon proof of negligence, unskilfulness, or inattention to the duties of the station: *Provided, however,* If in cases of refusal to license engineers or pilots, and in cases of the revocation of any license by the local board of inspectors, any engineer or pilot, deeming himself wronged by such refusal or revocation may, within thirty days after notice thereof, on application to a supervising inspector, have his case examined anew by such supervising inspector, upon producing a certified copy of the reasons assigned by the local board for their doing in the premises; and such supervising inspector may revoke the decision of such local board of inspectors, and license such pilot or engineer; and like proceedings, upon the same conditions, may be had by the master or owner of any such vessel, or of any steamboat boiler, for which the said local board shall have refused, upon inspection, to give a certificate of approval, or shall have notified such master or owner of any repairs necessary after such certificate has been granted.

Tenth. It shall be unlawful for any person to employ or any person to serve as an engineer or pilot, on any such vessel, who is not licensed by the inspectors; and any one so offending shall forfeit one hundred dollars for each offence; *Provided, however,* That if a vessel leaves her port with a compliment of engineers and pilots, and on her voyage is deprived of their services, or the services of any of them, without the consent, fault, or collusion of the master, owner, or any one interested in the vessel, the deficiency may be temporarily supplied, until others, licensed, can be obtained.

Eleventh. In addition to the annual inspection, it shall be the duty of said board to examine, seasonably, steamers arriving and departing, so often as to enable them to detect any neglect to comply with the requirements of law, and also any defects or imperfections becoming apparent after the inspection aforesaid, and tending to render the navigation of the vessel unsafe, which service may be performed by one of the board; and if he shall discover an omission to comply with the law, or that repairs have become necessary to make the vessel safe, he shall at once notify the master, stating in the notice what is required; and if the master deems the

requirements unreasonable or unnecessary, he may take the opinion of the board thereon, and if dissatisfied with the decision of such board, may apply for a re-examination of the case to the supervising inspector, as is hereinbefore provided; and if he shall refuse or neglect to comply with the requirements of the local board, and shall, contrary thereto, and while the same remains unreversed by the supervising inspector, employ the vessel by navigating her, the master and owners shall be liable for any damage to the passengers and their baggage which shall occur from any defects so as aforesaid stated in said notice, which shall be in writing, and all inspections and orders shall be promptly made by the inspectors; and where it can be safely done, in their judgment, they shall permit repairs to be made where those interested can most conveniently do them; and no inspectors of one district shall modify or annul the doings of the inspectors of another district in regard to repairs, unless there is a change in the state of things, demanding more repairs than were thought necessary when the order was made; nor shall the inspectors of one district appoint a person coming from another, if such person has been rejected for unfitness or want of qualifications.

Twelfth. The said board, when thereto requested, shall inspect steamers belonging to districts where no such board is established, and if a certificate of approval is not granted no other inspection shall be made by the same or any other board until the objections made by the inspectors are removed; and if any vessel shall be navigated after a board of inspectors have refused to make the collector a certificate of approval, she shall be liable to the same penalties as if she had been run without a license: *Provided, however,* That nothing herein contained shall impair the right of the inspectors to permit such vessel to go to another port for repairs, if in their opinion it is safe so to do.

Thirteenth. The said board of inspectors shall have power to summon before them witnesses, and to compel their attendance by the same process as in courts of law; and, after reasonable time given to the alleged delinquent at the time and place of investigation, to examine said witnesses under oath, touching the performance of their duties by engineers and pilots of any such vessel; and if it shall appear satisfactorily that any such engineer or pilot is incompetent, or that life has been placed in peril by reason of such incompetency, or by negligence or misconduct on the part of any such person, the board shall immediately suspend or revoke his license, and report their doings to the chief officer of the customs; and the said chief officer of the customs shall pay out the revenues herein provided such sums to any witness so summoned under the provisions of this act, for his actual travel and attendance, as shall be officially certified by an inspector hearing the case, upon the back of this summons, not exceeding the rates allowed to a witness for travel and attendance in the circuit and district courts of the United States.

Fourteenth. That the said board shall report promptly all their doings to the chief officer of the customs, as well as all omissions or refusals to comply with the provisions of law on the part of any owner or master of any such vessel, propelled in whole or in part by steam, carrying passengers.

Fifteenth. That it shall at all times be the duty of all engineers and pilots licensed under this act, and all mates, to assist the in-

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Appeal from such order.

Masters and owners made responsible for damages from neglect to comply with such order. Repairs, where to be made.

Doings of one board, when they may be modified by another.

Persons rejected by one board not to be licensed by any other.

Inspection of steamboats where there is no local board.

No new inspection to be made until former defects are remedied.

Penalty for navigating after refusal to certify.

Permit to go to another district for repairs.

Provision to compel attendance of witnesses and their examination under oath.

Suspension or revocation of licenses of pilots and engineers.

Payment of witnesses.

Reports of said board.

Mates and licensed pilots and

August 30, 1852. inspectors in the examination of any such vessels to which any such engineer, mate, or pilot belongs, and to point out all defects and imperfections in the hull or apparatus for steaming, and also to make known to them, at the earliest opportunity, all accidents occasioning serious injury to the vessel or her equipment, whereby life may be in danger; and in default thereof the license of any such engineer or pilot shall be revoked.

Provisions respecting the number of passengers, detentions on the passage, and accommodations, and penalties.

Vessels to be released on bond being given.

Penalty for obstructing or deranging the means of regulating or indicating the pressure of steam.

Penalty for allowing the water to fall below a certain line.

Boilers to be made of stamped materials.

SEC. 10. *And be it further enacted*, That in those cases where the number of passengers is limited by the inspector's certificate, it shall not be lawful to take on board of any steamer a greater number of passengers than is certified by the inspectors in the certificate; and the master and owners, or either of them, shall be liable, to any person suing for the same, to forfeit the amount of passage-money and ten dollars for each passenger beyond the number allowed. And, moreover, in all cases of an express or implied undertaking to transport passengers, or to supply them with food and lodging, from place to place, and suitable provision is not made of a full and adequate supply of good and wholesome food and water and of suitable lodging for all such passengers; or where barges or other craft impeding the progress are taken in tow, for a distance exceeding five hundred miles, without previous and seasonable notice to such passengers, in all such cases the owners and the vessel shall be liable to refund all the money paid for the passage, and to pay also the damage sustained by such default or delay: *Provided, however*, That if in any such case a satisfactory bond is given to the marshal, for the benefit of the plaintiff, to secure the satisfaction of such judgment as he may recover, the vessel shall be released.

SEC. 11. *And be it further enacted*, That if the master of a steamer, or any other person, whether acting under orders or not, shall intentionally load or obstruct, or cause to be loaded or obstructed, in any way or manner, the safety-valve or valves of a boiler, or shall employ any other means or device whereby the boiler shall be subjected to a greater pressure than the amount allowed by the certificate of the inspectors, or shall be exposed to a greater pressure, or shall intentionally derange or hinder the operation of any machinery or device employed to denote the state of the water or steam in any boiler or to give warning of approaching danger, it shall, in any such case, be a misdemeanor, and any and every person concerned therein, directly or indirectly, shall forfeit two hundred dollars, and may, at the discretion of the court, be, in addition thereto, imprisoned not exceeding eighteen months.

SEC. 12. *And be it further enacted*, That if at any time there be a deficiency of water in a boiler, by suffering it to fall below three inches above the flue, as prescribed in this act, unless the same happens through inevitable accident, the master, if it be by his order, assent, or connivance, and also the engineer or other person, whose duty it is to keep up the supply, shall be guilty of an offence for which they shall severally be fined one hundred dollars each; and if an explosion or collapse happens in consequence of such deficiency they, or any of them, may be further punished by imprisonment for a period of not less than six nor more than eighteen months.

SEC. 13. *And be it further enacted*, That hereafter all boilers of steamboats made of iron shall be constructed of plates which have been stamped according to the provisions of this act.

SEC. 14. *And be it further enacted*, That it shall be the duty of such inspectors to ascertain the quality of the material of which the boiler-plates of any such boiler so submitted to their inspection are made; and to satisfy themselves by any suitable means whether the mode of manufacturing has been such as to produce iron equal to good iron made with charcoal, such as in their judgment may be used for generating steam-power without hazard to life; and no such boiler shall be approved which is made of unsuitable material, or of which the manufacture is imperfect, or is not, in their opinion, of suitable strength, or whose plates are less than one-fourth of an inch in thickness for a high-pressure boiler of forty-two inches in diameter, and in that proportion of strength according to the maximum of working pressure allowed for high-pressure boilers of greater or less diameter, or which is made of any but wrought iron of a quality equal to good iron made with charcoal.

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Examination of boiler plates.

Qualities to be required.

SEC. 15. *And be it further enacted*, That all plates of boiler-iron shall be distinctly and permanently stamped in such manner as the Secretary of the Treasury shall prescribe, and, if practicable, in such place or places that the mark shall be left visible after the plates are worked into boilers, with the name of the manufacturer, the quality of the iron, and whether or not hammered, and the place where the same is manufactured.

Boiler plates to be stamped.

SEC. 16. *And be it further enacted*, That it shall be unlawful to use, in such vessel for generating steam for power, a boiler, or steam pipe connecting the boilers, made, after the passage of this act, of any iron unless it has been stamped by the manufacturer as herein provided; and if any person shall make, for use in any such vessel, a boiler of iron not so stamped, intended to generate steam for power, he shall, for any such offence, forfeit five hundred dollars, to be recovered in an action of debt by any person suing for the same; and any person using, or causing to be used, in any such vessel, such a boiler to generate steam for power, shall forfeit a like sum for each offence.

Penalty for making for use or using boilers made hereafter of unstamped plates.

SEC. 17. *And be it further enacted*, That if any person shall counterfeit the marks and stamps required by this act, or shall falsely stamp any boiler iron and be convicted therefor, he shall be fined not exceeding five hundred dollars and imprisoned not exceeding two years. And if any person or persons shall stamp or mark plates with the name or marks of another, with intent to mislead, deceive, or defraud, such person or persons shall be liable to any one injured thereby for all damage occasioned by such fraud or deception.

Penalty for frauds, &c., as to stamps.

Damages for using the stamp of another with intent to defraud.

SEC. 18. *And be it further enacted*, That, in order to carry this act fully into execution, the President of the United States shall, with the advice of the Senate, appoint nine supervising inspectors, who shall be selected for their knowledge, skill, and experience in the uses of steam for navigation, and who are competent judges not only of the character of vessels, but of all parts of the machinery employed in steaming, who shall assemble together at such places as they may agree upon, once in each year at least, for joint consultation and the establishment of rules and regulations for their own conduct and that of the several boards of inspectors within the districts, and also to assign to each of the said nine inspectors the limits of territory within which he shall perform his duties. And the said supervising inspectors shall each be paid

Nine supervising inspectors to be appointed.

Their qualifications.

To meet as a board at least yearly, to make rules and regulations, and assign limits.

Pay of said su-

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supervising inspectors.

Expenses.

Expense of transportation of instruments of examination.

Payment of supervising and local inspectors.

Duties of supervising inspectors.

Their reasonable inquiries to be answered and information to be given them.

Duties as to prosecution of persons failing to comply with this act.

Duties as to supervising the local boards.

Provision where there is no local board, or where it is inconvenient to resort to it.

No inspector to act where he is interested or associated with persons in interest.

Inspection by such interested persons to be void.

for his services after the rate of fifteen hundred dollars a year, and, in addition thereto, his actual reasonable travelling expenses, incurred in the necessary performance of his duty when away from the principal port in his district, and certified and sworn to by him under such instructions as shall be given by the Secretary of the Treasury, who is hereby authorized to pay such salaries, and also such travelling expenses, and the actual reasonable expenses (both to them and other inspectors) of transporting from place to place the instruments used in inspections, which expenses shall be proved to his satisfaction.

SEC. 19. *And be it further enacted*, That the supervising inspectors shall watch over all parts of the territory assigned to them, shall visit, confer with, and examine into the doings of the several boards of inspectors, and shall, whenever they think it expedient, visit such vessels licensed, and examine into their condition for the purpose of ascertaining whether the provisions of this act have been observed and complied with both by the board of inspectors and the master and owners; and it shall be the duty of all masters, engineers, and pilots of such vessels to answer all reasonable inquiries, and to give all the information in their power in regard to any such vessel so visited, and her machinery for steaming, and the manner of managing both.

SEC. 20. *And be it further enacted*, That whenever a supervising inspector ascertains to his satisfaction that the master, engineer, pilot, or owner of any such vessel fail to perform their duties according to the provisions of this act, he shall report the facts in writing to the board in the district where the vessel belongs; if need be, cause the negligent or offending parties to be prosecuted; and if he has good reason to believe there has been, through negligence or from any other cause, a failure of the board who inspected the vessel to do its duty, he shall report the facts in writing to the Secretary of the Treasury, who shall cause immediate investigation into the truth of the complaint, and if he deems the cause sufficient, shall remove the delinquent.

SEC. 21. *And be it further enacted*, That it shall be the duty of such supervising inspectors to see that the said several boards within their respective collection districts execute their duties faithfully, promptly, and, as far as possible, uniformly, in all places, by following out the provisions of this act according to the true intent and meaning thereof; and they shall, as far as practicable by their established rules, harmonize differences of opinion when they exist in different boards.

SEC. 22. *And be it further enacted*, That the said supervising inspectors shall also visit collection districts in which there are no boards of inspectors, if there be any where steamers are owned or employed, and each one shall have full power to inspect any such steamer or boilers of each steamer in any such district, or in any other district where, from distance or other cause, it is inconvenient to resort to the local board, and to grant certificates of approval according to the provisions of this act, and to do and perform in such districts all the duties imposed upon boards in the districts where they exist: *Provided*, That no supervising or other inspector shall be deemed competent to inspect in any case where he is directly or indirectly personally interested, or is associated in business with any person who is so interested, but in all such cases the duty shall be performed by disinterested inspectors, and inspection made in violation of this rule shall be void and of no effect.

SEC. 23. *And be it further enacted*, That it shall be the duty of each of the collectors or other chief officers of the customs for the districts aforesaid, except San Francisco, to make known without delay to the collectors of all the said districts, except San Francisco, the names of all persons licensed as engineers or pilots for such vessels, and the names of all persons from whom, upon application, licenses have been withheld, and the names of all whose licenses have been revoked or suspended, and also the names of all such vessels which neglect or refuse to make such repairs as may be ordered under the provisions of this act, and the names of all for which license has been, on application, refused.

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Each collector, &c., to report the licenses granted or refused.

SEC. 24. *And be it further enacted*, That it shall be the duty of the collectors or other chief officers of the customs, and of the inspectors aforesaid, within the said several districts, to enforce the provisions of law against all such steamers arriving and departing; and upon proof that any collector or other chief officer of the customs, or inspector, has negligently or intentionally omitted his duty in this particular, such delinquent shall be removed from office, and shall also be subject to a penalty of one hundred dollars for each offence, to be sued for in an action of debt before any court of competent jurisdiction.

Collector, &c., and inspectors to attend to enforcing this law; on penalty of loss of office and a fine.

Penalty.

SEC. 25. *And be it further enacted*, That the collector or other chief officer of the customs shall retain on file all original certificates of the inspectors required by this act to be delivered to him, and shall give to the master or owner of the vessel therein named two certified copies thereof, one of which shall be placed by such master or owner in some conspicuous place in the vessel where it will be most likely to be observed by passengers and others, and there kept at all times; the other shall be retained by such master or owner as evidence of the authority thereby conferred; and if any person shall receive or carry any passengers on board any such steamer not having a certified copy of the certificate of approval as required by this act, placed and kept as aforesaid, or who shall receive or carry any gunpowder, oil of turpentine, oil of vitriol, camphene, or other explosive burning fluids or materials which ignite by friction, as freight, on board any steamer carrying passengers not having a certificate authorizing the same, and a certified copy thereof placed and kept as aforesaid, or who shall stow or carry any of said articles at a place or in a manner not authorized by such certificate, shall forfeit and pay for each offence one hundred dollars, to be recovered by action of debt in any court of competent jurisdiction.

Collector, &c., to retain certificates of inspectors, and to give out two certified copies.

One copy to be kept posted in a conspicuous place in the steamboat.

Penalty for not having such certificate so posted, and for carrying gunpowder, &c., without license, or improperly stored.

SEC. 26. *And be it further enacted*, That every inspector who shall wilfully certify falsely touching any such vessel propelled in whole or in part by steam, and carrying passengers, her hull, accommodations, boilers, engines, machinery, or their appurtenances, or any of her equipments, or any matter or thing contained in any certificate signed and sworn to by him, shall, on conviction thereof, be punished by fine not exceeding five hundred dollars, or imprisonment not exceeding six months, or both.

Penalty on inspector for giving false certificates.

SEC. 27. *And be it further enacted*, That if any such vessel carrying passengers, having a license and certificate as required by this act, shall be navigated without having her hull, accommodations, boilers, engines, machinery, and their appurtenances, and all equipments, in all things conformable to such certificate, the master or commander by whom she shall be so navigated, having

Penalty on the master for navigating a vessel not being in conformity with such certificate.

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Exception as to deficiency by danger of navigation.

Stopping of vessels when navigation is dangerous on rivers.

Liability for damages if no stop is made.

Rules for passing to be adopted by the supervising board and to be kept posted in every steamboat.

Penalty for neglecting to observe such rules.

Liability of owner, &c., for damage to passengers or their baggage.

Fees for inspectors' certificates and for licenses.

knowledge of such defect, shall be punished by fine not exceeding one hundred dollars, or imprisonment not exceeding two months, or both: *Provided*, That such master or commander shall not be liable for loss or deficiency occasioned by the dangers of navigation, if such loss or deficiency shall be supplied as soon as practicable.

SEC. 28. *And be it further enacted*, That on any such steamers, navigating rivers only, when from darkness, fog, or other cause, the pilot on watch shall be of opinion that the navigation is unsafe, or from accident to or derangement of the machinery of the boat, the engineer on watch shall be of the opinion that the further navigation of the vessel is unsafe, the vessel shall be brought to anchor or moored as soon as it prudently can be done: *Provided*, That if the person in command shall, after being so admonished by either of such officers, elect to pursue such voyage, he may do the same; but in such case both he and the owners of such steamer shall be answerable for all damages which shall arise to the person of any passenger and his baggage from said causes in so pursuing the voyage, and no degree of care or diligence shall in such case be held to justify or excuse the person in command or said owners.

SEC. 29. *And be it further enacted*, That it shall be the duty of the supervising inspectors to establish such rules and regulations, to be observed by all such vessels in passing each other, as they shall from time to time deem necessary for safety, two printed copies of which rules and regulations, signed by said inspectors, shall be furnished to each of such vessels, and shall at all times be kept up in conspicuous places on such vessels, which rules shall be observed both night and day. Should any pilot, engineer, or master of any such vessel neglect or wilfully refuse to observe the foregoing regulations, any delinquent so neglecting or refusing shall be liable to a penalty of thirty dollars, and to all damage done to any passenger, in his person or baggage, by such neglect or refusal; and no such vessel shall be justified in coming into collision with another if it can be avoided.

SEC. 30. *And be it further enacted*, That whenever damage is sustained by any passenger or his baggage from explosion, fire, collision, or other cause, the master and the owner of such vessel, or either of them, and the vessel, shall be liable to each and every person so injured to the full amount of damage, if it happens through any neglect to comply with the provisions of law herein prescribed, or through known defects or imperfections of the steaming apparatus or of the hull; and any person sustaining loss or injury through the carelessness, negligence, or wilful misconduct of an engineer or pilot, or their neglect or refusal to obey the provisions of law herein prescribed as to navigating such steamers, may sue such engineer or pilot, and recover damages for any such injury caused as aforesaid by any such engineer or pilot.

SEC. 31. *And be it further enacted*, That before issuing the annual license to any such steamer the collector or other chief officer of the customs for the port or district shall demand and receive from the owner or owners of the steamer, as a compensation for the inspections and examinations made for the year, the following sums in addition to the fees for issuing enrolments and licenses, now allowed by law, according to the tonnage of the vessel, to wit: For each vessel of a thousand tons and over, thirty-five dollars; for each of five hundred tons and over, but less than one

thousand tons, thirty dollars; and for each under five hundred tons, and over one hundred and twenty-five tons, twenty-five dollars; and for each under one hundred and twenty-five tons, twenty dollars, at the time of obtaining registry, and once in each year thereafter, pay, according to the rate of tonnage before mentioned, the sum of money herein fixed. And each engineer and pilot, licensed as herein provided, shall pay for the first certificate granted by any inspector or inspectors the sum of five dollars, and for each subsequent certificate one dollar, to such inspector or inspectors, to be accounted for and paid over to the collector or other chief officer of the customs; and the sums derived from all the sources above specified shall be quarterly accounted for and paid over to the United States in the same manner as other revenue.

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License fees to be paid to the inspectors, and by them to the collector.

SEC. 32. *And be it further enacted*, That each inspector shall keep an accurate account of every such steamer boarded by him during the year, and of all his official acts and doings, which in the form of a report he shall communicate to the collector or other chief officer of the customs, on the first day of May and November, in each year.

Inspectors to keep a record of all their doings, and report the same to the collector semi-annually.

SEC. 33. *And be it further enacted*, That the inspectors in the following districts shall each be allowed annually the following compensation, to be paid under the direction of the Secretary of the Treasury, in the manner officers of the revenue are paid, to wit:

Compensation of the district inspectors.

For the district of Portland, in Maine, three hundred dollars;

Portland.

For the district of Boston and Charlestown, in Massachusetts, eight hundred dollars;

Boston and Charlestown.

For the district of New London, in Connecticut, three hundred dollars;

New London.

For the district of New York, two thousand dollars;

New York.

For the district of Philadelphia, in Pennsylvania, one thousand dollars;

Philadelphia.

For the district of Baltimore, in Maryland, one thousand dollars;

Baltimore.

For the district of Norfolk, in Virginia, three hundred dollars;

Norfolk.

For the district of Charleston, in South Carolina, four hundred dollars;

Charleston.

For the district of Savannah, in Georgia, four hundred dollars;

Savannah.

For the district of Mobile, in Alabama, one thousand dollars;

Mobile.

For the district of New Orleans, or in which New Orleans is the port of entry, Louisiana, two thousand dollars;

New Orleans.

For the district of Galveston, in Texas, three hundred dollars;

Galveston.

For the district of St. Louis, in Missouri, fifteen hundred dollars;

St. Louis.

For the district of Nashville, in Tennessee, four hundred dollars;

Nashville.

For the district of Louisville, in Kentucky, twelve hundred dollars;

Louisville.

For the district of Cincinnati, Ohio, fifteen hundred dollars;

Cincinnati.

For the district of Wheeling, Virginia, five hundred dollars;

Wheeling.

For the district of Pittsburg, Pennsylvania, fifteen hundred dollars;

Pittsburg.

For the district of Chicago, Illinois, five hundred dollars;

Chicago.

For the district of Detroit, Michigan, eight hundred dollars;

Detroit.

For the district of Cleveland, Ohio, five hundred dollars;

Cleveland.

For the district of Buffalo, New York, twelve hundred dollars;

Buffalo.

For the district of Oswego, or of which Oswego is the port of entry, New York, three hundred dollars;

Oswego.

For the district of Vermont, two hundred dollars;

Vermont.

For the district of San Francisco, California, fifteen hundred dollars.

San Francisco.

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Instruments of examination to be provided.

Record of passengers to be kept daily, and to be open to examination by the inspectors.

Penalty on master for neglect.

Lien on the vessel for penalties respecting passengers.

Bond may be given.

Two copies of this act (furnished by the Secretary of the Treasury) to be kept on board each steamboat, and exhibited to any passenger calling for it under penalty of twenty dollars.

Penalty on inspectors for receiving any but the above fees.

Pilots and engineers to be sworn before entering on their duties.

Penalty on them and witnesses for false swearing.

Supervising inspectors to receive information respecting certain topics relating to steamboats, and transmit the same to the Secretary of the Treasury.

SEC. 34. *And be it further enacted*, That the Secretary of the Treasury shall provide the inspectors with a suitable number of instruments of uniform construction, so as to give uniform results, to test the strength of boilers.

SEC. 35. *And be it further enacted*, That it shall be the duty of the master of any such steamer to cause to be kept a correct list of all the passengers received and delivered from day to day, noting the places where received and where landed, which record shall be open to the inspection of the inspectors and officers of the customs at all times; and in case of default, through negligence or design, the said master shall forfeit one hundred dollars, which penalty, as well as that for excess of passengers, shall be a lien upon the vessel: *Provided, however*, a bond may, as provided for in other cases, be given to secure the satisfaction of the judgment.

SEC. 36. *And be it further enacted*, That every master or commander of any such steamer shall keep on board of such steamer at least two copies of this act, to be furnished to him by the Secretary of the Treasury; and if the master or commander neglects or refuses to do so, or shall unreasonably refuse to exhibit a copy of the same to any passenger who shall ask it, he shall forfeit twenty dollars.

SEC. 37. *And be it further enacted*, That any inspector who shall, upon any pretence, receive any fee or reward for his service rendered under this act, except what is herein allowed him, shall forfeit his office, and if found guilty, on indictment, be otherwise punished according to the aggravation of the offence, by fine not exceeding five hundred dollars, or imprisonment not exceeding six months, or both.

SEC. 38. *And be it further enacted*, That all engineers and pilots of any such vessels shall, before entering upon their duties, make solemn oath before one of the inspectors herein provided for, to be recorded with the certificate, that he will faithfully and honestly, according to his best skill and judgment, perform all the duties required of him by this act, without concealment or reservation; and if any such engineer, pilot, or any witness summoned under this act as a witness, shall, when under examination on oath, knowingly and intentionally falsify the truth, such person shall be deemed guilty of perjury, and if convicted, be punished accordingly.

SEC. 39. *And be it further enacted*, That the supervising inspectors appointed under the provisions of this act shall, within their respective districts, under the direction of the Secretary of the Treasury, take the examination or receive the statements in writing of persons of practical knowledge and experience in the navigation of steam vessels, the construction and use of boilers, engines, machinery and equipments, touching the form, material and construction of engines and their appurtenances; the causes of the explosion of boilers and collapse of flues, and the means of prevention; the kind and description of safety-valves, water and steam gauges or indicators; equipments for the extinguishment of fires, and for the preservation of life in case of accident on board of such vessels, and all other means in use or proper to be adopted, for the better security of the lives of persons on board vessels propelled in whole or in part by steam; the advantages and disadvantages of the different description of boilers, engines and their appurtenances, safety-valves, water and steam gauges or indicators.

equipments for the prevention or extinguishment of fires, and the preservation of life in case of accident, in use on board such vessels; whether any, and what further legislation is necessary or proper for the better security of the lives of persons on board such steam vessels; which examination and statements so taken and received shall be transmitted to the Secretary of the Treasury, at such time as he shall prescribe.

SEC. 40. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to cause such interrogatories to be prepared and published as in his opinion may be proper to elicit the information contemplated by the preceding section, and upon the receipt of the examination and statements taken by the inspectors, shall report the same to Congress, together with the recommendation of such further provisions as he may deem proper to be made for the better security of the lives of persons on board steam vessels.

Secretary of the Treasury to prepare interrogatories to elicit such information, and report the information to Congress.

SEC. 41. *And be it further enacted*, That all penalties imposed by this act may be recovered in an action of debt by any person who will sue therefor in any court of the United States.

Penalties, how sued for and recovered.

SEC. 42. *And be it further enacted*, That this act shall not apply to public vessels of the United States or vessels of other countries; nor to steamers used as ferry-boats, tug-boats, towing-boats, nor to steamers not exceeding one hundred and fifty tons burden, and used in whole or in part for navigating canals. The inspection and certificate required by this act shall in all cases of ocean steamers constructed under contract with the United States, for the purpose, if desired, of being converted into war steamers, be made by a chief engineer of the navy, to be detailed for that service by the Secretary of the Navy, and he shall report both to said Secretary and to the supervising inspector of the district where he shall make any inspection.

This act not to apply to certain vessels.

Inspection of the ocean mail steamers.

SEC. 43. *And be it further enacted*, That all such parts of this act as authorize the appointment and qualification of inspectors, and the licensing of engineers and pilots, shall take effect upon the passage thereof, and that all other parts of this act shall go into effect at the times and places as follows: in the districts of New Orleans, St. Louis, Louisville, Cincinnati, Wheeling, Pittsburg, Nashville, Mobile, and Galveston, on the first day of January next; and in all other districts on the first day of March next.

When this act shall take effect.

SEC. 44. *And be it further enacted*, That all parts of laws heretofore made, which are suspended by or are inconsistent with this act, are hereby repealed.

Inconsistent laws repealed.

Approved August 30, 1852.

RESOLUTION OF MARCH 3, 1853.

[No. 13.]

A RESOLUTION in amendment of a joint resolution relating to the duties of inspectors of steamers, approved the seventh day of January, eighteen hundred and fifty-three.

[The first and second sections of this resolution have expired.]

SEC. 3. *And be it further resolved*, That the said inspectors shall hereafter be authorized and empowered, upon satisfactory proof that the owner or owners of a steamer are unable to obtain

Substitute for metallic life-boats authorized in certain cases.

March 3, 1853.

Proviso.

No person interested in any patent for life-boats to be competent to be an inspector of steam-boats.

seasonably, or upon reasonable terms, a metallic life-boat as required by said act, or that such a boat is unsuited to the navigation in which a steamer is employed, to accept in any such case a substitute or substitutes for such metallic life-boat: *Provided*, such substitute shall in their judgment afford safe and suitable means of preserving life in case of accident.

SEC. 4. *And be it further resolved*, That no person interested as patentee, in any way, direct or indirect, in life-preservers, life-boats, or any other article required for steamers by the law of August thirtieth, eighteen hundred and fifty-two, aforesaid, shall be deemed competent to hold the office of inspector, or to discharge the duties thereof.

Approved March 3, 1853.

ACT OF MARCH 3, 1855.

AN ACT to regulate the carriage of passengers in steamships and other vessels.

Number of passengers to be carried limited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That no master of any vessel owned in whole or in part by a citizen of the United States, or by a citizen of any foreign country, shall take on board such vessel at any foreign port or place, other than foreign contiguous territory of the United States, a greater number of passengers than in proportion of one to every two tons of such vessel, not including children under the age of one year in the computation, and computing two children over one and under eight years of age as one passenger. That the spaces appropriated for the use of such passengers, and which shall not be occupied by stores or other goods not the personal baggage of such passengers, shall be in the following proportions, viz: on the main and poop decks or platforms, and in the deck houses, if there be any, one passenger for each sixteen clear superficial feet of deck, if the height or distance between the decks or platforms shall not be less than six feet; and on the lower deck, (not being an orlop deck,) if any, one passenger for eighteen such clear superficial feet, if the height or distance between the decks or platforms shall not be less than six feet, but so as that no passenger shall be carried on any other deck or platform, nor upon any deck where the height or distance between decks is less than six feet, with the intent to bring such passenger to the United States, and shall leave such port or place and bring the same or any number thereof within the jurisdiction of the United States; or if any such master of any vessel shall take on board his vessel, at any port or place within the jurisdiction of the United States, any greater number of passengers than in the proportion aforesaid, to the space aforesaid, or to the tonnage aforesaid, with intent to carry the same to any foreign port or place other than foreign contiguous territory, as aforesaid, every such master shall be deemed guilty of a misdemeanor, and upon conviction thereof, before any circuit or district court of the United States, shall for each passenger taken on board beyond the limit aforesaid, or the space aforesaid, be fined in the sum of fifty dollars, and may also be imprisoned at the discretion of the judge before

Penalty for exceeding the prescribed number.

whom the penalty shall be recovered, not exceeding six months; but should it be necessary for the safety and convenience of the vessel that any portion of her cargo, or any other article or articles, should be placed on or stored in any of the decks, cabins, or other places appropriated to the use of passengers, the same may be placed in lockers or enclosures prepared for the purpose on an exterior surface impervious to the wave, capable of being cleansed in like manner as the decks or platforms of the vessel. In no case, however, shall the places thus provided be deemed to be a part of the space allowable for the use of passengers, but the same shall be deducted therefrom, and in all cases where prepared or used, the upper surface of said lockers or enclosed spaces shall be deemed and taken to be the deck or platform from which measurement shall be made for all the purposes of this act.

March 3, 1855.

It is also provided that one hospital, in the spaces appropriated to passengers, and separated therefrom by an appropriate partition, and furnished as its purposes require, may be prepared, and when used may be included in the space allowable for passengers, but the same shall not occupy more than one hundred superficial feet of deck or platform: *Provided*, That on board two-deck ships, where the height between the decks is seven and one-half feet or more, fourteen clear superficial feet of deck shall be the proportion required for each passenger.

Space occupied for hospital purposes may be included in the space prescribed for passengers.

Proviso.

SEC. 2. *And be it further enacted*, That no such vessel shall have more than two tiers of berths, and the interval between the lowest part thereof and the deck or platform beneath shall not be less than nine inches, and the berths shall be well constructed, parallel with the sides of the vessel, and separated from each other by partitions as berths ordinarily are separated, and shall be at least six feet in length and at least two feet in width, and each berth shall be occupied by no more than one passenger; but double berths of twice the above width may be constructed, each berth to be occupied by no more and by no other than two women, or by one woman and two children under the age of eight years, or by husband and wife, or by a man and two of his own children under the age of eight years, or by two men, members of the same family; and if there shall be any violation of this section in any of its provisions, then the master of the vessel and the owners thereof shall severally forfeit and pay the sum of five dollars for each passenger on board of said vessel on such voyage, to be recovered by the United States in any port where such vessel may arrive or depart.

Provisions as to berths.

Double berths.

SEC. 9. *And be it further enacted*, That the collector of customs at any port of the United States, at which any vessel so employed shall arrive, or from which any such vessel shall be about to depart, shall appoint and direct one or more of the inspectors of the customs for such port to examine such vessel, and report in writing to such collector, whether the requirements of law have been complied with in respect to such vessel; and if such report shall state such compliance, and shall be approved by such collector, it shall be deemed and held as *prima facie* evidence thereof.

Custom inspectors of passenger vessels.

SEC. 10. *And be it further enacted*, That the provisions, regulations, penalties, and liens of this act, relating to the space in vessels appropriated to the use of passengers, are hereby extended and made applicable to all spaces appropriated to the use of steerage passengers in vessels propelled in whole or in part by steam, and navigating from, to, and between the ports, and in

This act to apply to space for steerage passengers in steamships.

March 3, 1855.

manner as in this act named, and to such vessels and to the masters thereof; and so much of the act entitled "An act to amend an act entitled 'An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam, and for other purposes,' approved August thirtieth, eighteen hundred and fifty-two," as conflicts with this act, is hereby repealed; and the space appropriated to the use of steerage passengers, in vessels so as above propelled and navigated, is hereby made subject to the supervision and inspection of the collector of the customs at any port of the United States at which any such vessel shall arrive, or from which she shall be about to depart; and the same shall be examined and reported in the same manner and by the same officers by the next preceding section directed to examine and report.

Vessels bound to or from Pacific ports.

SEC. 11. *And be it further enacted*, That the vessels bound from any port in the United States to any port or place in the Pacific ocean, or on its tributaries, or from any such port or place to any port in the United States on the Atlantic or its tributaries, shall be subject to the foregoing provisions regulating the carriage of passengers in merchant vessels, except so much as relates to provisions and water; but the owners and masters of all such vessels shall in all cases furnish to each passenger the daily supply of water therein mentioned; and they shall furnish a sufficient supply of good and wholesome food, properly cooked; and in case they shall fail to do so, or shall provide unwholesome or unsuitable provisions, they shall be subject to the penalty provided in the sixth section of this chapter, in case the passengers are put on short allowance of water or provisions.

Food to be provided.

Short allowances.

Extract from section 6: "And if the passengers on board of any such vessel in which the provisions and water herein required shall not have been provided as aforesaid shall, at any time, be put on short allowance during any voyage, the master or owner of any such vessel shall pay to each and every passenger who shall have been put on short allowance the sum of three dollars for each and every day they may have been put on short allowance, to be recovered in the circuit or district court of the United States."

Penalty.

Approved March 3, 1855.

ACT OF APRIL 29, 1864.

AN ACT fixing certain rules and regulations for preventing collisions on the water.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after September one, eighteen hundred and sixty-four, the following rules and regulations for preventing collisions on the water be adopted in the navy and mercantile marine of the United States: *Provided*, That the exhibition of any light on board of a vessel of war of the United States may be suspended, whenever, in the opinion of the Secretary of the Navy, the commander-in-chief of a squadron, or the commander of a vessel acting singly, the special character of the service may require it:

REGULATIONS FOR PREVENTING COLLISIONS ON THE WATER. April 29, 1864.

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20. No ship, under any circumstances, to neglect proper precautions.

PRELIMINARY.

ARTICLE 1. In the following rules every steamship which is under sail, and not under steam, is to be considered a sailing ship; and every steamship which is under steam, whether under sail or not, is to be considered a ship under steam.

RULES CONCERNING LIGHTS.

LIGHTS.

ARTICLE 2. The lights mentioned in the following articles, and no others, shall be carried in all weather between sunset and sunrise:

LIGHTS FOR STEAMSHIPS.

ARTICLE 3. All steam vessels, when under way, shall carry—

(a.) At the fore masthead, a bright, white light, so fixed as to show an uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, viz: from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least five miles.

(b.) On the starboard side, a green light, so constructed as to throw an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.

(c.) On the port side, a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night, with a clear atmosphere, at a distance of at least two miles.

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(d.) The said green and red side lights shall be fitted with in-board screens, projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

LIGHTS FOR STEAM-TUGS.

ARTICLE 4. Steamships, when towing other ships, shall carry two bright white mast-head lights vertically, in addition to their side lights, so as to distinguish them from other steamships. Each of these mast-head lights shall be of the same construction and character as the mast-head lights which other steamships are required to carry.

LIGHTS FOR SAILING-SHIPS.

ARTICLE 5. Sailing ships, under way or being towed, shall carry the same lights as steamships under way, with the exception of the white mast-head lights, which they shall never carry.

EXCEPTIONAL LIGHTS FOR SMALL SAILING-VESSELS.

ARTICLE 6. Whenever, as in the case of small vessels during bad weather, the green and red lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel, ready for instant exhibition; and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collisions, in such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side.

To make the use of these portable lights more certain and easy they shall each be painted outside with the color of the light they respectively contain, and shall be provided with suitable screens.

LIGHTS FOR SHIPS AT ANCHOR.

ARTICLE 7. Ships, whether steamships or sailing-ships, when at anchor in roadsteads or fairways, shall, between sunrise and sunset, exhibit, where it can best be seen, but at a height not exceeding twenty feet above the hull, a white light, in a globular lantern of eight inches in diameter, and so constructed as to show a clear, uniform, and unbroken light, visible all around the horizon, and at a distance of at least one mile.

LIGHTS FOR PILOT VESSELS.

ARTICLE 8. Sailing pilot vessels shall not carry the lights required for other sailing vessels, but shall carry a white light at the mast-head, visible all around the horizon, and shall also exhibit a flare-up light every fifteen minutes.

LIGHTS FOR FISHING VESSELS AND BOATS.

ARTICLE 9. Open fishing boats, and other open boats, shall not be required to carry side-lights required for other vessels; but shall, if they do not carry such lights, carry a lantern having a green slide on the one side and a red slide on the other side, and

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on the approach of or to other vessels, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side. Fishing vessels and open boats when at anchor, or attached to their nets and stationary, shall exhibit a bright white light. Fishing vessels and open boats shall, however, not be prevented from using a flare-up in addition, if considered expedient.

RULES CONCERNING FOG-SIGNALS.

FOG-SIGNALS.

ARTICLE 10. Whenever there is a fog, whether by day or night, the fog-signals described below shall be carried and used, and shall be sounded at least every five minutes, viz :

(a) Steamships under way shall use a steam-whistle, placed before the funnel, not less than eight feet from the deck.

(b) Sailing ships under way shall use a fog-horn.

(c) Steamships and sailing ships when not under way shall use a bell.

STEERING AND SAILING RULES.

TWO SAILING SHIPS MEETING.

ARTICLE 11. If two sailing ships are meeting end on, or nearly end on, so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other.

TWO SAILING SHIPS CROSSING.

ARTICLE 12. When two sailing ships are crossing so as to involve risk of collision, then, if they have the wind on different sides, the ship with the wind on the port side shall keep out of the way of the ship with the wind on the starboard side, except in the case in which the ship with the wind on the port side is close-hauled, and the other ship free, in which case the latter ship shall keep out of the way. But if they have the wind on the same side, or if one of them has the wind aft, the ship which is to windward shall keep out of the way of the ship which is to leeward.

TWO SHIPS UNDER STEAM MEETING.

ARTICLE 13. If two ships under steam are meeting end on, or nearly end on, so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other.

TWO SHIPS UNDER STEAM CROSSING.

ARTICLE 14. If two ships under steam are crossing so as to involve risk of collision, the ship which has the other on her own starboard side shall keep out of the way of the other.

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SAILING SHIP AND SHIP UNDER STEAM.

ARTICLE 15. If two ships, one of which is a sailing ship and the other a steamship, are proceeding in such directions as to involve risk of collision, the steamship shall keep out of the way of the sailing ship.

SHIPS UNDER STEAM TO SLACKEN SPEED.

ARTICLE 16. Every steamship, when approaching another ship, so as to involve risk of collision, shall slacken her speed, or, if necessary, stop and reverse; and every steamship shall, when in a fog, go at a moderate speed.

VESSELS OVERTAKING OTHER VESSELS.

ARTICLE 17. Every vessel overtaking any other vessel shall keep out of the way of the said last mentioned vessel.

CONSTRUCTION OF ARTICLES 12, 14, 15, AND 17.

ARTICLE 18. Where, by the above rules, one of two ships is to keep out of the way, the other shall keep her course, subject to the qualifications contained in the following article :

PROVISO TO SAVE SPECIAL CASES.

ARTICLE 19. In obeying and construing these rules, due regard must be had to all dangers of navigation, and due regard must also be had to any special circumstances which may exist in any particular case rendering a departure from the above rules necessary, in order to avoid immediate danger.

NO SHIP, UNDER ANY CIRCUMSTANCES, TO NEGLECT PROPER PRECAUTIONS.

ARTICLE 20. Nothing in these rules shall exonerate any ship, or the owner, or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

Approved April 29, 1864.

ACT OF MAY 5, 1864.

AN ACT for prevention and punishment of frauds in relation to the names of vessels.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every steamboat of the United States shall, in addition to having her name painted on her stern, as now required by law, also have the same conspicuously placed in distinct, plain letters, of not less than

Names of steam-boats, where to be placed on the vessel.

six inches in length, on each outer side of the pilot-house, if it has such, and (in case the said boat has side-wheels) also on the outer side of each wheel-house; and if any such steamboat shall be found without having her name placed as herein required she shall be subject to the same penalty and forfeiture as is now provided by law in the case of a vessel of the United States found without having her name and the name of the port to which she belongs painted on her stern as required by law.

May 5, 1864.

Penalty.

SEC. 2. *And be it further enacted*, That no master, owner, or agent or [of] any vessel of the United States shall in any way change the name of such vessel, or by any device, advertisement, or contrivance deceive, or attempt to deceive, the public, or any officer or agent of the United States government or of any State, or any corporation or agent thereof, or any person or persons, as to the true name of such vessel, on pain of the forfeiture of such vessel: *Provided*, That this act shall not take effect until the expiration of sixty days from and after its passage.

Name not to be changed, nor deception practiced as to name.

When act takes effect.

Approved May 5, 1864.

ACT OF JUNE 8, 1864.

AN ACT to create an additional supervising inspector of steamboats and two local inspectors of steamboats for the collection district of Memphis, Tennessee, and two local inspectors for the collection district of Oregon, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be designated and appointed, in the mode prescribed by law, and who shall be paid the same annual compensation as is now paid, one additional supervising inspector of steamboats, and two local inspectors of steamboats at Portland, in the collection district of Oregon, and two for the collection district of Memphis, Tennessee, at an annual compensation of seven hundred dollars, to be paid as provided by law, as in case of other like inspectors; and said inspectors shall perform the duties and be subject to the provisions of the steamboat act of August thirteenth, eighteen hundred and fifty-two.

Inspectors to be appointed.

SEC. 2. *And be it further enacted*, That so much of said act as provides for the appointment of two local inspectors of steamboats in the district of Wheeling, on the Ohio river, and for their compensation, is hereby repealed.

Wheeling local board abolished.

Fees.

SEC. 3. *And be it further enacted*, That each engineer and pilot licensed according to the provisions of said act shall pay for every certificate granted by any inspector or inspectors the sum of ten dollars, to be accounted for in the mode provided by law.

SEC. 4. *And be it further enacted*, That the forty-second section of the act of August thirty, eighteen hundred and fifty two, be so construed as to require the inspection of the hull and boiler, in the manner prescribed by that act, of every vessel propelled in whole or in part by steam, and engaged as a ferry-boat, tug or towing boat, or canal-boat, in all cases where, under the laws of the United States, such vessels may be engaged in the commerce with foreign nations, or among the several States.

Inspection of ferry and tug boats.

June 8, 1864.

Their engineers
licensed.

SEC. 5. *And be it further enacted*, That all engineers and pilots of ferry-boats, tug-boats, towing-boats, or canal-boats, subject to inspection by this act, shall be classified and licensed in the same manner as are pilots and engineers by said act of August thirty, eighteen hundred and fifty-two.

Fees for inspection.

SEC. 6. *And be it further enacted*, That in lieu of the fees for inspection required by the thirty-first section of the act of August thirty, eighteen hundred and fifty-two, the following shall be paid: For each vessel of one hundred tons, or under, twenty-five dollars, and in addition thereto for each one hundred tons, over the first one hundred tons, five dollars.

SEC. 7. *And be it further enacted*, That all parts of the act aforesaid which are suspended by or are inconsistent with this act are hereby repealed.

Approved June 8, 1864.

ACT OF JULY 4, 1864.

AN ACT further to regulate the carriage of passengers in steamships and other vessels.

"Contiguous territory" explained.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the term "contiguous territory" in the first section of the act entitled "An act to regulate the carriage of passengers in steamships and other vessels," approved March 3, 1855, shall not be held to extend to any port or place connected with any interoceanic route through Mexico.

Food for passengers to be provided.

SEC. 2. *And be it further enacted*, That the provisions of the eleventh section of said act be, and the same are hereby, extended to all vessels whose passengers, or any part of them, are or shall be bound from or to any of the ports or places therein mentioned, by way of any overland route or routes through Mexico or Central America.

Three copies of certificate to be issued.

SEC. 3. *And be it further enacted*, That hereafter there shall be delivered to masters or owners of vessels three copies of the inspector's certificates directed to be given them by collectors or other chief officers of the customs by the twenty-fifth section of the act entitled "An act to amend an act entitled 'An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam, and for other purposes,'" approved August thirtieth, eighteen hundred and fifty-two, one of which copies shall be placed, and at all times kept, by said masters or owners, in some conspicuous place in the vessel where it will be most likely to be discovered by steerage passengers and the others as now provided by law; and the penalty for neglecting or refusing to place or keep up such additional copy shall be the same as provided by the said twenty-fifth section in the other cases therein mentioned.

One copy to be posted in the steerage.

Penalty.

List of passengers to be open to inspection.

SEC. 4. *And be it further enacted*, That the list of passengers required to be kept by section thirty-five of the said act of August thirtieth, eighteen hundred and fifty-two, shall also be open to the inspection of any passenger during all reasonable hours; and that after any clearance is granted, but before the vessel shall be

allowed to depart, the master, or other person in charge of such vessel carrying passengers, shall file with the collector, or other officer of the customs granting the clearance, a list, verified by the oath of the master, or other agent or owner of the vessel, of all passengers received or to be received on the vessel so cleared, for conveyance during the proposed voyage, designating cabin and steerage passengers distinctly; and on the receipt by such customs officer on the full list so verified, a departure permit may be given, without which no vessel conveying passengers shall go to sea, and such departure permit shall be shown to the pilot of each vessel before he shall have authority to take the vessel to sea; and any pilot who shall, without such authority being shown to him, pilot a vessel to sea, shall be subject to a fine of one hundred dollars, and a revocation of his license.

July 4, 1864.

List to be sworn to and filed with collector.

Departure permit.

Permit to be shown to pilot.

Penalty on pilot.

SEC. 5. *And be it further enacted*, That the master or commander of any vessel carrying passengers from any port or ports in the United States, to any port or place in Mexico or Central America, shall immediately, on arriving at such last-mentioned port or place, deliver to the United States consul, vice-consul, or commercial agent, at such port, two copies of the list of passengers required to be kept on such vessel by said section thirty-five of the act of August thirtieth, eighteen hundred and fifty-two, embracing all the passengers on board the vessel at any time during its voyage, up to its said arrival, and duly verified by the oath of such master or commander, and by the inspection of the consul, vice-consul, or commercial agent, previous to, or at the landing of the passengers; one of which copies the said consul, vice-consul, or commercial agent, shall file in his office, and the other of which he shall transmit without delay to the collector of the port in the United States from which the vessel last cleared. And if such master or commander shall refuse or neglect to comply with the requirements of this section, or shall knowingly make a false return of the list of passengers, he, together with the owner or owners of said vessel, shall be subject to a fine not less than ten thousand dollars, and such fine shall be a lien upon the vessel until paid.

List of passengers to be given to consuls.

Given under oath.

Penalty on master and owner.

SEC. 6. *And be it further enacted*, That the provisions of section twelve of the act entitled "An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam," approved July seventh, eighteen hundred and thirty-eight, be, and the same are hereby, extended to the owner or owners of any steamboat or other vessel propelled in whole or in part by steam, and to all public officers, by or in consequence of whose fraud, connivance, misconduct, or violation of law, the life or lives of any person or persons on board such steamboat or vessel may be destroyed.

Penalty where lives are destroyed on steam vessels through violation of laws.

SEC. 7. *And be it further enacted*, That if the owner or owners, master, commander, or any other person in charge of any steamboat or other vessel shall wilfully present or cause to be presented any false or fraudulent list or lists of its passengers, or copies thereof, to any consul, vice-consul, commercial agent, collector, or other custom-house officer, or of the departure permit to any pilot, he or they shall be held guilty of misdemeanor, and on conviction thereof shall be imprisoned for a term not exceeding two years; and the vessel shall be liable to seizure and forfeiture.

Penalty for presenting fraudulent lists or permit.

Vessel may be seized.

July 4, 1864.

Penalties how to
be recovered.

SEC. 9. *And be it further enacted*, That informers shall be entitled to one half of any penalty or fine collected under this act, or the said act of March third, eighteen hundred and fifty-five, upon their information.

Approved July 4, 1864.

ACT OF MARCH 3, 1865.

AN ACT to provide two assistant local inspectors of steamboats in the city of New York, and two local inspectors at Galena, Illinois, and to re-establish the board of local inspectors at Wheeling; and also to amend the act approved June eighth, eighteen hundred and sixty-four, entitled "An act to create an additional supervising inspector of steamboats, and two local inspectors of steamboats for the collection district of Memphis, Tennessee, and two local inspectors for the collection district of Oregon, and for other purposes."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be designated, and appointed, in the mode prescribed by law, two assistant local inspectors of steamboats in the city of New York, and two local inspectors at the city of Galena, Illinois, with an annual compensation of twelve hundred dollars for the said assistant local inspectors in the city of New York, and eight hundred dollars for the two local inspectors at the city of Galena, Illinois, as in the case of other like inspectors; and said inspectors shall perform the duties and be subject to the provisions of the steamboat act of August thirtieth, eighteen hundred and fifty-two, and the local board at Wheeling, is hereby re-established.

Fees for in-
spection.

Acts repealed.

SEC. 2. *And be it further enacted*, That in lieu of the fees for inspection prescribed by the sixth section of the act entitled "An act to create an additional supervising inspector of steamboats for the collection district of Memphis, Tennessee, and two local inspectors for the collection district of Oregon, and for other purposes," approved June eighth, eighteen hundred and sixty-four, there shall be levied and paid for each steam vessel of one hundred tons or under, twenty-five dollars, and in addition thereto for each and every ton in excess of one hundred tons, five cents.

SEC. 3. *And be it further enacted*, That all acts or part of acts inconsistent with this act are hereby repealed.

Approved March 3, 1865.

ACT OF JULY 25, 1866.

AN ACT further to provide for the safety of the lives of passengers on board of vessels propelled in whole or in part by steam, to regulate the salaries of steamboat inspectors, and for other purposes.

Licensed engi-
neers or pilots
wrongfully refus-
ing to serve as
such, &c., or pi-
lots refusing to ad-
mit certain per-
sons into pilot-
house, to forfeit
\$300.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That if any engineer or pilot, licensed in pursuance of law by any inspector or board of inspectors, shall, to the hindrance of commerce, wrongfully or unreasonably refuse to serve as such on any steam vessel, as authorized by the terms of his license, or shall fail to deliver to the

applicant for such services, at the time of such refusal, if the same shall be demanded, a statement in writing, signed by such engineer or pilot, of the reasons therefor, or if any pilot shall refuse to admit into the pilot-house with him any person or persons whom the captain or owners of any steamboat may desire to place there for the purpose of acquiring the knowledge of piloting, he shall forfeit and pay to the party aggrieved thereby the sum of three hundred dollars, to be recovered in an action of debt founded on this statute. And thereupon, on such recovery, as well as on such refusal to give such statement in writing, or to admit such persons into the pilot-house as aforesaid, his license shall be immediately revoked, upon the same proceedings as are provided by law in other cases of the revocation of such licenses.

July 25, 1866.

How to be recovered.

Licenses to be revoked.

SEC. 2. *And be it further enacted*, That when boilers are so arranged on a steamer that there is employed a water connecting-pipe through which the water may pass from one boiler to another, there shall also be provided a similar steam connection, having an area of opening into each boiler of at least one square inch for every two square feet of effective heating surface contained in any one of the boilers so connected, half the flue and all other surfaces being computed as effective. And no boiler shall hereafter be allowed, under any circumstances, a greater working pressure than one hundred and fifty pounds to the square inch.

Where there is a water connecting-pipe between boilers, similar steam connection to be also provided.

Maximum working pressure of boiler.

SEC. 3. *And be it further enacted*, That one or more additional safety-valves, of such dimensions and arrangement as shall be prescribed by the board of supervising inspectors, shall be placed on the boilers of every steamer, and shall be loaded to a pressure not exceeding two pounds above the working steam pressure allowed, and shall be secured by the inspector against the interference of all persons engaged in the management of the vessel or her machinery. And the alloyed metals now required by law to be placed in or upon the flues of boilers shall be fusible, as now required by law, and at a temperature not exceeding four hundred and forty-five degrees of the Fahrenheit thermometer; and a good and reliable water-gauge and a full set of gauge-cocks shall be provided for each boiler, whether connected or otherwise.

Safety-valves on boilers of steamers

How loaded and secured.

Alloyed metals on flues of boilers to be fusible, and at what temperature.

Water-gauge and gauge-cocks.

SEC. 4. *And be it further enacted*, That no steamboat boiler hereafter built, to which the heat is applied on the outside of the shell, shall be constructed of plates of more than three-tenths of an inch in thickness, the ends or heads of the boiler only excepted. And every steamboat boiler hereafter built, if employed on rivers flowing into the Gulf of Mexico, or their tributaries, shall have not less than three inches of clear space for water between and around its internal flues. And steamers hereafter built, which shall employ four or more boilers set in a battery, shall have the same divided in such a manner that one half, as nearly as may be, of the number of boilers employed will act independently of the other half, so far as relates to the water connection; but the steam from all the boilers may be connected as provided by this act.

Construction of steam boilers hereafter built; employed on certain rivers.

Steamers hereafter built, how to have boilers divided.

SEC. 5. *And be it further enacted*, That cotton, hemp, hay, straw, or other easily ignitable commodity, shall not be carried on the decks or guards of any steamer carrying passengers, except on ferry-boats crossing rivers, and then only on the sterns of such boats, unless the same shall be protected by a complete and suitable covering of canvass or other proper material, to prevent ignition from sparks, under a penalty of one hundred dollars for

Cotton, hemp, hay, straw, &c., not to be carried on deck or guards of passenger steamers, except &c.

Penalty.

July 25, 1866.

Coal oil or crude petroleum not to be so carried, unless, &c.

Barges carrying passengers in tow of a steamer.

Steamers used as freight boats to be subject to inspection, &c.—1864, ch. 113, vol. xiii, p. 120.

Penalty for persons attempting to act as steamboat inspectors.

All vessels except, &c., to be subject to the navigation laws of the United States.

Steam vessels, &c., to be subject to act of 1852.—Ch. 106, §29, vol. x, p. 72.

Sea-going steam vessels, under way, except on high seas, to be under control of licensed pilots, except, &c.

Passenger vessels to have the life-boats required by law provided with suitable boat disengaging apparatus.

Foremast-head light only on ocean-going steamers, and those carrying sail.

1864, ch. 69, vol. xiii, p. 58.

Lights of river steamers navigating waters flowing into Gulf of Mexico.

each offence. Nor shall coal oil or crude petroleum be hereafter carried on such steamers, except on the decks or guards thereof, or in open holds where a free circulation of air is secured, and at such distance from the furnaces or fires as may be prescribed by any *supervisors* [supervising] inspector or any local board of inspectors.

SEC. 6. *And be it further enacted*, That barges carrying passengers while in tow of a steamer shall be subject to the provisions of the acts for the preservation of the lives of passengers so far as relates to fire-buckets, axes, and life-preservers. For a violation of this section the penalty shall be one hundred dollars.

SEC. 7. *And be it further enacted*, That steamers used as freight boats shall be subject to the same inspection and requirements as provided for ferry, tug, and canal boats, by an act relating to steamboats, approved the eighth day of June, eighteen hundred and sixty-four, and to the provisions of this act.

SEC. 8. *And be it further enacted*, That if any person connected, as a member or otherwise, with any association of steamboat pilots, engineers, masters, or owners, shall accept or attempt to exercise the functions of the office of steamboat inspector, it shall be a misdemeanor, for which he shall forfeit his office, and shall be further subject to a penalty of five hundred dollars.

SEC. 9. *And be it further enacted*, That all vessels navigating the bays, inlets, rivers, harbors, and other waters of the United States, except vessels subject to the jurisdiction of a foreign power and engaged in foreign trade and not owned in whole or in part by a citizen of the United States, shall be subject to the navigation laws of the United States; and all vessels propelled in whole or in part by steam, and navigating as aforesaid, shall also be subject to all rules and regulations consistent therewith, established for the government of steam vessels in passing, as provided in the twenty-ninth section of an act relating to steam vessels, approved the thirtieth day of August, eighteen hundred and fifty-two. And every sea-going steam vessel now subject or hereby made subject to the navigation laws of the United States, and to the rules and regulations aforesaid, shall, when under way, except upon the high seas, be under the control and direction of pilots licensed by the inspectors of steam vessels; vessels of other countries and public vessels of the United States only excepted.

SEC. 10. *And be it further enacted*, That all sea-going vessels carrying passengers, and those navigating any of the northern and northwestern lakes, shall have the life-boats required by law, provided with suitable boat disengaging apparatus, so arranged as to allow such boats to be safely launched with their complements of passengers while such vessels are under speed or otherwise, and so as to allow such disengaging apparatus to be operated by one person, disengaging both ends of the boat simultaneously from the tackles by which it may be lowered to the water.

SEC. 11. *And be it further enacted*, That the provision for a foremast-head light for steamships, in an act entitled "An act fixing certain rules and regulations for preventing collisions on the water," approved the twenty-ninth day of April, eighteen hundred and sixty-four, shall not be construed to apply to other than ocean-going steamers and steamers carrying sail. River steamers navigating waters flowing into the Gulf of Mexico shall carry the following lights, viz: One red light on the outboard side of the port

smoke-pipe, and one green light on the outboard side of the star-board smoke-pipe; these lights to show both forward and aft, and also abeam on their respective sides. All coasting steamers, and those navigating bays, lakes, or other inland waters, other than ferry-boats and those above provided for, shall carry the red and green lights as prescribed for ocean-going steamers; and, in addition thereto, a central range of two white lights; the after light being carried at an elevation of at least fifteen feet above the light at the head of the vessel; the head light to be so constructed as to show a good light through twenty points of the compass, namely, from right ahead to two points abaft the beam on either side of the vessel; and the after light to show all around the horizon.

July 25, 1866.

Of coasting
steamers, &c.,
other than ferry
boats, &c.

SEC. 12. *And be it further enacted*, That the annual compensation paid to local inspectors of steamboats shall be hereafter as follows, to wit: For the district of Portland, in Maine, three hundred dollars; for the district of Boston and Charlestown, in Massachusetts, one thousand dollars; for the district of New London, in Connecticut, five hundred dollars; for the district of New York, two at two thousand dollars each, two at fifteen hundred dollars each, and one additional inspector of boilers at fifteen hundred dollars; for the district of Philadelphia, in Pennsylvania, thirteen hundred dollars; for the district of Baltimore, in Maryland, twelve hundred dollars; for the district of Norfolk, in Virginia, three hundred dollars; for the district of Charleston, in South Carolina, five hundred dollars; for the district of Savannah, in Georgia, four hundred dollars; for the district of Mobile, in Alabama, one thousand dollars; for the district of New Orleans, or in which New Orleans is the port of entry, Louisiana, two thousand dollars; for the district of Galveston, in Texas, four hundred dollars; for the district of St. Louis, in Missouri, sixteen hundred dollars; for the district of Nashville, in Tennessee, four hundred dollars; for the district of Louisville, in Kentucky, twelve hundred dollars; for the district of Cincinnati, in Ohio, sixteen hundred dollars; for the district of Wheeling, West Virginia, five hundred dollars; for the district of Pittsburg, Pennsylvania, sixteen hundred dollars; for the district of Chicago, Illinois, eight hundred dollars; for the district of Detroit, Michigan, one thousand dollars; for the district of Cleveland, Ohio, six hundred dollars; for the district of Buffalo, New York, twelve hundred dollars; for the district of Oswego, or of which Oswego is the port of entry, New York, three hundred dollars; for the district of Vermont, of which Burlington is the port of entry, three hundred dollars; for the district of San Francisco, California, fifteen hundred dollars; for the district of Memphis, Tennessee, nine hundred dollars; for the district of Galena, Illinois, one thousand dollars; for the district of Portland, Oregon, seven hundred dollars; to the supervising inspector of the Pacific coast, two thousand five hundred dollars; to other supervising inspectors, two thousand dollars each.

Annual pay of
inspectors of
steamboats.
District of Port-
land.
Boston and
Charlestown.
New London.
New York.

Philadelphia.
Baltimore.
Norfolk.
Charleston.
Savannah.
Mobile.
New Orleans.

Galveston.
St. Louis.
Nashville.
Louisville.
Cincinnati.
Wheeling.
Pittsburg.
Chicago.
Detroit.
Cleveland.
Buffalo.
Oswego.

Vermont.
San Francisco.
Memphis.
Galena.
Portland.

Supervising in-
spectors.

Clerks in the lo-
cal offices at New
York and New
Orleans.

Pay.

Stationery,
printing, instru-
ments, &c., for
supervising and lo-
cal inspectors.

SEC. 13. *And be it further enacted*, That there shall be appointed, under the direction of the Secretary of the Treasury, one clerk each in the local offices at New York and New Orleans, and the annual compensation allowed to these clerks shall be seven hundred and fifty dollars each.

SEC. 14. *And be it further enacted*, That the Secretary of the Treasury may procure for the supervising and local inspectors of steamboats such stationery, printing, instruments, and other things

July 25, 1866. necessary for the use of their respective offices as may be required therefor; and shall make such rules and regulations as may be necessary to secure the proper execution of the steamboat acts; and may from time to time cause special examinations to be made into the administration of the inspection laws.

Rules and regulations.

Special examinations, &c.

Bonds of supervising, local, and assistant inspectors of steamboats.

Form and condition.

Repeal of inconsistent laws.

SEC. 15. *And be it further enacted*, That supervising and local and assistant inspectors of steamboats shall execute proper bonds, in such form and upon such conditions as the Secretary of the Treasury may prescribe, and subject to his approval, conditioned for the faithful performance of the duties of their respective offices, and the payment in the manner provided by law of all moneys that may be received by them

SEC. 16. *And be it further enacted*, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved July 25, 1866.

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